ROYAL COMMISSION ON METROPOLITAN DEVELOPMENT OF CALGARY AND EDMONTON

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P R O C E E D I N G S

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W I T N E S S E S

MARTIN, A. G.

9:45 A.M. SESSION

DECEMBER 8, 1954

A.G. MARTIN, recalled to the stand, examined by Commissioner Davies, testified:

THE CHAIRMAN: Right, sir. Then, Mr. Davies, if you will proceed with your examination of Mr. Martin.

Q COMMISSIONER DAVIES: When we concluded last evening, Mr. Martin, you stated you wanted to say something further about the question of greenbelts?

A I made some notes on some additional points which I wish to make in connection with green belts and in connection with annotation generally. I believe we left the green belt question yesterday at the point where I believe I made the statement that the green belt concept was a very good concept in the planning of regions, that is in separating the main city, getting a clear definition between the main city and the rural area then having a considerable area before you get to the next town or city within the region. I think I also made the statement that green belts shouldn't be thought of in some Utopian sense, if you establish a green belt it is forever a green belt, and I further made the statement that the natural topography of the ground should have a very great effect on the location, the width and the purpose the green belt is put. I think that's very important, the purpose to which a green belt is

put because the way the green belt concept has been put in the past it has possibly engendered in the minds of some that it is a park and nothing else, and I think that is a dangerous concept, perhaps dangerous isn't the word, I don't think that is the concept to have because I think while a green belt can consist partly of parks it can consist purely of agricultural land or even suburban land say people living on ten to 20 acres of land they could quite conceivably live within the green belt as long, of course, as it kept its open character and the subdivisions allowed within it were never such that you allowed breaking down into such small parcels that you destroyed the very purpose of what you conceived your green belt to be.

Now, in the Calgary area, in the Calgary Metropolitan Area with respect to green belts we have of course the two rivers and we have some man-made, at least one man-made body of water, the Glenmore Reservoir, from which the City of Calgary receives its water supply and the Glenmore area, the Glenmore water reservoir with a strip on each side and to the south of it forms a natural part of a green belt in that part of the Metropolitan Area. The development of the Bow Valley in the Metropolitan Area perhaps could not be treated in the same way as the Glenmore Reservoir, I should say in connection with the Glenmore Reservoir too there is another reason for preserving it from heavy development, and that, of course, is to protect the

water supply, to prevent it from becoming badly contaminated. In the Bow Valley within the Metropolitan Area you have a similar situation particularly along the south side of the Valley where you have comparatively steep cliffs which are wooded at the present time, and I think in the Calgary scheme that should form in our concept of what the general plan is that forms a part of the green belt. Now, those are the parts of the green belt, roughly there are others, I don't think they need be elaborated here, they are on a smaller scale than the ones along the river but those are the parts of the green belt which should be considered as parks. The other parts of the green belt should be considered, as I mentioned before, as agricultural land and in setting the boundary of what the future urban area is to be in our Submission we have placed this so far that it goes right within the agricultural area or green belt, in other words the boundary of the Metropolitan, the area coming under a Metropolitan or city administration depending on what the solution is going to be, the boundary of that area is completely within the agricultural area, that was the intention in our submission, and the function of the green belt in the agricultural areas beyond that with proper administration would be to ensure that no fringe development occurred immediately around the city, around the Metropolitan Area, and it would ensure the separation of the next established satellite city or growth of an established town or

village to a greater size within the metropolitan region as distinct from the Metropolitan Area, in other words it would assure nuclei of development rather than a long sprawl of urban development.

Q When I was talking to you about the question of green belt, Mr. Martin, I was thinking of the green belt more in terms of something that arises as a result of the concept of having an optimum limit for the city and functioning in that matter and not so much in the sense as to what you have been referring to. Now, you agree, I take it, that there is nothing desirable in bigness as far as the city is concerned itself?

A I will agree with that statement, yes, Mr. Chairman.

Q And the bigness itself if carried to extremes results in generating traffic problems, lengthens the journey to work of employees, and interferes in the course of time with the kind of a life that the people can live within the city. I would like to read to you a paragraph or two from an exhibit which was filed with us in Edmonton dealing with this question of optimum growth, and this is the November report of the Edmonton District Planning Commission under the heading of Objectives for Orderly Development of the Metropolitan Area and I quote,

" Orderly development within the defined area will depend upon the attainment of optimum metropilitan limits, the maintenance within those limits of a balance

between the major land-uses, the planning and development of an integrated road system the achievement of an efficient home-work pattern, and upon the scheduling of land development in accord- and with the principle of least cost.

Behind the concept of optimum or ideal growth, which is a basic element in the regional plan, is what appears to be virtually a law of urban development, based on the accumulated experience of city growth. There is a constant relationship between the size of an urban centre and the per capita cost of government."

And then I will miss a bit and go on and quote further,

"....But there comes a time in the development of all urban communities when this no longer holds true. The sewage system may be forced into less desirable areas where costly pumping is necessary..... And above all, there will be a rise in the cost of administration. Size means complexity and organization,"

Now, so far I don't see in the Submissions we have heard in Calgary anything very definite on the question of optimum size from a population point of view related to the capacity of sewers and the water system, expansion, and what might be a desirable objective to set at this stage on a flexible plan. Would you care to make some

comments on that?

A Well, Mr. Chairman, I do make reference in the Brief, in the Calgary District Planning Commission to optimum size but I make the reference in this way that one could set an optimum size for the City of Calgary and we have reports which have dealt with the setting of an optimum size for the City of Calgary, but there is a long division in the growth of cities and there is nothing in that division except perhaps with one or two exceptions where the limit of the Town or the City has actually been set and stopped at that point, and the one exception might be the one of the satellite town which was started in England towards the end of the last century. What I am trying to suggest by that is that regardless of whether or not we set an optimum size the legislation, the evolution of legislation governing city growth or governing Town Planning generally I do not believe is sufficiently advanced in this country so that within the next ten years at any rate we can even begin to say, well, at such and such a point in the population of the City of Calgary or Edmonton we are going to call a halt and nobody is coming in here any more, nobody.

Q Well, I don't think that is suggested, Mr. Martin. For myself at this stage I can't see how you can have an outlined general plan for the Calgary Area unless indirectly, as a result of that plan you have some optimum size for your city that is set?

A Well, in the development of our general plan, Mr. Chairman, we worked on the basis of 30 years, we worked on the basis of 1980, we began the work in 1951, we worked on the basis of 30 years which would bring our date to 1981 and we worked on an optimum size for the city at that time based on a projection of the population up to 1981, and we went into considerable detail in the examination of our utilities system to see how they were related to a possible continuation of the growth of the City of Calgary which we had projected on our population grants, so that we haven't disregarded the concept of optimum size but from the practical point of view I think it would be, I think it would be harmful to make a definite statement now that the City of Calgary reaches 350,000 people we are going to stop its growth.

Q Again you keep coming back to that but I am not suggesting that, Mr. Martin. I would like to read you from page 11 of the Exhibit of the Edmonton District Planning Commission. It says this,

" The Commission --" and that means the Edmonton District Planning Commission --

" . . . . takes the view that the development of the metropolitan area will be more orderly and economic if it is consistent with the 'law' of urban development rather than in conflict with it. Hence the attempt to define an optimum in its general plan. Growth may,

of course, occur beyond the optimum, but not without serious consequences in cost and living conditions."

Would you agree with that statement?

A Well, not having had quoted to me what the law of urban development is and presumably by that is meant the fact that the greater a city becomes the more complex and difficult and expensive --

Q And the higher per cost of government, the per capita cost of government becomes, would you agree with that statement or disagree?

A I will agree that on an economic basis that is quite true, Mr. Chairman, because I have the same information and the same statistics available upon which that report was based, but just because it becomes more economic, I am saying this from the point of argument not necessarily because I believe in it because I believe wholeheartedly in keeping a city to a reasonable size, I am saying this from the point of view of argument only now. Is economics the only reason for controlling the size of a city, are there any compensating factors in size itself, for instance can we support, shall we say, a symphony orchestra or can we support a legitimate theatre on anything smaller than half a million people, or three-quarters of a million people? If we value that sort of thing in our civilization then perhaps we could allow our cities to grow larger so that they can perform these more possibly sophisticated functions.

Q Well, --

A What I am trying to suggest, the economic point of view isn't the only point of view.

Q Well, what I think is implied here is this, Edmonton and Calgary are small as cities go?

A That's right.

Q At the present time, and I take it what is implied in this concept, the way we had it put before us in Edmonton is this, that there should be an optimum size set now roughly for your city that is capable and would be capable of revision at a later date. The optimum size that would be set now would be flexible, but it would be related to the economic cost at which utilities could be extended, and then if as a result of the flux of time that area all fills in that the people of the city should then have the opportunity to re-examine the matter and see whether they want to move into this larger sphere with the per capita cost of government that is involved. Would you disagree with that?

A Oh, no, sir, I agree with that wholeheartedly and perhaps in different words. I put the same concept into the brief of the Calgary District Planning Commission because the Submission, unfortunately the entire Submission isn't in the brief because there were certain calculations made in connection with the extension of the utilities which refer to the actual size in population of the future city which

comes out if the area is included at 380,000 people, personally I think that is a high figure because I think too much of the land in that was assessed as residential land, we are now in the process of making more accurate figures which we hope to file with the Royal Commission before the end of this week, but in connection with the study which we have made for the presentation of this brief, Mr. Chairman, I wonder if I could suggest this that we work it out in greater detail and file it with the Commission together with our argument on optimum size, our arguments for additional annexations and so forth and file it with the Commission in pictorial as well as written form. Would that satisfy your requirements, Mr. Davies?

Q I think it would certainly be of very material assistance and I am quite certain we are going to have to come back here again, for example in the Calgary City Submission we are being given certain figures that are involved in extension of sewer and water services if there is amalgamation and those figures are very substantial figures and it is part of the Submission of the City of Calgary that if there is to be amalgamation that that is not to be at the cost of the City of Calgary, that is right, isn't it?

A That is correct.

Q Financially. Now, I presume therefore that it is a fair implication from the Calgary City Submission that if that amalgamation were to be recommended by this Commission that

coincident with that this Commission would have to recommend that the Provincial Government should bear that cost, that's a fair implication of the Calgary Brief, isn't it?

A That's a fair implication, certainly, sir.

Q Well then, that puts it right in the hands of this Commission then to be thoroughly satisfied as to whether or not that is the economic and proper thing to do?

A But if you will pardon me, Mr. Chairman, I think that there is a slightly different meaning to what is stated in our Brief as far as the extension of those particular utilities is concerned. Those particular utilities are not required for future expansion of the City of Calgary, they will not do the City of Calgary any material benefit at all. They are the utilities which refer to the Village of Montgomery and to the Towns of Forest Lawn and Bowness, and the City of Calgary on principle thinks that it's the, amalgamation in the long run is the best thing, but as far as the Towns of Bowness and Forest Lawn and Montgomery are concerned there is no material benefit at all to the City to annex those two Towns. The City is looking entirely from the point of view of the orderly development, future orderly development of the metropolitan area, not looking forward to its continued growth at least in the direction of Bowness, Forest Lawn, except perhaps on a limited scale, so what I am trying to suggest there is that while the extension of the utilities and the cost of such extension should be a

factor in controlling the size of a city in connection with the figures submitted in the City of Calgary Financial Analysis, that isn't in the picture because we are referring to a different thing.

Q Well, I turn now from the question of optimum size subject to what you have said that you will file with us, Mr. Martin, I want to talk to you about a few other matters. First I want to discuss with you the question of urban development on the highways leading into Calgary. Would you outline to the Commission what control, if any, under existing legislation the City of Calgary has, that is the council of the City of Calgary through its Technical Planning Board, what control, if any, it has in respect to any urban development that takes place on highways immediately outside the boundaries of the City of Calgary?

A Directly, none whatever.

Q Well, I was given to understand that somewhere there is provision made that there is not supposed to be any, what is defined as a small parcel under Section 2(g), no, 2(q) of the Town and Rural Planning Act, the word "small parcel" is defined as follows, "Small parcel means an area of land containing less than five acres:

(1) adjoining a main highway established pursuant to the Public Highways Act, or

(2) situated within(a) the boundaries of a city, town or village or (b) two miles out of the City."

Do you know anything about any control whatsoever that the City of Calgary has over any development immediately outside the city limits and within two miles of it?

A Well, ever since the establishment of the Calgary District Planning Commission, Mr. Chairman, in the Calgary area, it has not been necessary to use that section because the City of Calgary Technical Planning Board is constituted as a subdividing authority, an authority for approving or disapproving plans of subdivisions, and the Calgary District Planning Commission is constituted by the Provincial Government as being an approved authority for plans of subdivision in the metropolitan area excepting thereout the area over which the Technical Planning Board of the City has jurisdiction in subdivision, and inasmuch as the City of Calgary is a contributing member to the Calgary District Planning Commission through its voice on the Commission it has had the power of controlling development along the highway outside of its limits, but only to that extent, but inasmuch as urban development or rather non-urban development is one of the principles in the general plan for the metropolitan area it is a control which has been rather carefully exercised and perhaps even severely exercised by the Calgary District Planning Commission to keep urban development down to an absolute minimum, and I think in that we have succeeded since the establishment of the Calgary District Planning Commission.

Q Well, they haven't succeeded to a great extent in the Edmonton area so I would like to put a practical case to you. I want to establish a service station or motel a mile and three-quarters south of Calgary on the Macleod Trail and I go to a farmer and he is willing to give me, let us say six acres of land, I will make it one over, which is five so it is not within the definition of a small parcel under Section 2 of the Act and he is willing to sell me a parcel of six acres. Now, would you outline to me what would happen as I proceeded to buy that six acres, as far as planning authorities in the Calgary area are concerned?

A You are the applicant?

Q I am the applicant, and that six acres, that six acre parcel is defined by a meets and bounds description, it happens to be right near a corner and it's, it lends itself to being defined without the necessity of a survey and so we proceed to the lawyer's office and call a surveyor in and he gives us a description which ordinarily is acceptable to the Land Titles Office. Now, we are willing to proceed now with this deal. Now, will you outline to the Commission what happens from there on, according to the plan laws applicable in the Calgary area?

A Well, Mr. Chairman, you would take your application to the office of the Municipal District of Springbank and the Municipal District of Springbank as much as it might indirectly involve development along the highway, would refer

the application to the Technical Staff of the Calgary District Planning Commission who would examine the site and at the time of referring the application to the Technical Staff the Municipal District would ask us to take it up at the next regular meeting of the Calgary District Planning Commission.

Q May I interrupt you here, do you have a meeting every month?

A Yes, sir. Between the lodging of the application and the meeting of the Calgary District Planning Commission the Technical Staff would prepare a report for submission to the Calgary District Planning Commission, a copy of which would be filed with the Municipal District, and the application would be discussed not only from the point of view of a subdivision, but also from the point of view of the development which is proposed on that new parcel of land and the Calgary District Planning Commission would make a recommendation to the Municipal District. The Calgary, if the Calgary District Planning favoured the subdivision and favoured the development, it would recommend accordingly and would subsequently approve the plan of that parcel. If they recommended against it, it would be referred, the recommendation would be referred back to the office of the Municipal District with that recommendation that they do not favour the development or the subdivision which was proposed. The Municipal District could then refuse the application or refuse the recommendation or keep the

recommendation of the Calgary District Planning Commission. I should add here, Mr. Chairman, that we have been extremely fortunate between the Commissions, in our relationships between the Commission and the individual member units in controlling highway development. Now, there is a further aspect the Calgary District Planning Commission has. I don't believe it is a statutory requirement, but it has a working arrangement with the Department of Highways because you understand the application would also have to be approved by the Department of Highways and we would send the recommendation because at the time of the launching of the application with us we required that the applicant immediately lodge his application with the Department of Highways and we would send him the recommendation of the Calgary District Planning Commission, rather we would send the Department of Highways the recommendation of the Calgary District Planning Commission because the Department of Highways and the Municipal District both would have to approve the development, so that even if the Municipal District approved the development the Department of Highways might refuse the development.

Q And then that would settle it?

A That would settle it.

Q Would the applicant have any appeal from the Highways' decision, Highways Department decision? I take it no?

A No, no, sir, not of the Highways Department.

Q Now, can I interrupt you at this stage, let us suppose that when this came before the Calgary District Planning Commission that the City of Calgary representatives on the Commission were opposed to this development but the majority, the voting majority on the Calgary District Planning Commission was in favour of it, therefore favourable recommendation went to the M.D. of Springbank and the Department of Highways gave approval to the development then the City of Calgary would be in the position that that development would go on, wouldn't it?

A That is correct. Well, Mr. Chairman, in that connection a matter has never reached that extreme but I believe if the Calgary District Planning Commission, the City of Calgary felt strongly enough about it it would probably be referred to the City of Calgary Technical Planning Board and this has not been done, I should add, and if the Technical Planning Board felt that the matter was serious enough then we would ask the Minister to invoke Section 2 (q) to which you referred earlier, because I believe it can only be done --

Q The only thing is I made this six acres. This is a six acre --

A Oh, this is a six acre parcel, it is not a subdivision, no, that small parcel I admit is --

Q Then can I interrupt you again to say this. If the Calgary representative on the District Planning Commission objected

and he were voted down, is there any provision now for an appeal that the Calgary representative on the District Planning Commission has an appeal to anywhere on that decision?

A No, sir.

Q Do you think there should be?

A I think there should be an appeal on the part of everybody, but if you are going to do that I think the whole procedure should be, the whole appeal procedure should be changed. I think there should be an appeal on the part of every contributing member of the District Planning Commission, not only the City of Calgary. I believe that is what you have in mind as well, Mr. Commissioner?

Q Yes, I have that in mind and while I just mentioned urban development, I am thinking of this discussion also in terms of fringe area development that's outside the city limits because the same considerations apply.

A That is correct.

Q Except possibly that the Department of Highways doesn't come into the picture?

A No, the Department of Highways only comes into the picture if it's a designated highway in their, a designated highway in their scheme.

Q Does the Department of Highways come into the picture because the subdivision, the plan of subdivision in case it were a plan of subdivision has to be approved, or is that

merely the director of Town and Rural Planning?

A The Department of Highways comes into the picture for the approval of the development. They are chiefly concerned that the proper distance from the highway is maintained for any particular development and that is if it is a secondary access highway that secondary access highway roads are, in fact, established in conjunction with the development. They are not concerned with the subdivision.

Q Now, I want to come back now to the question of planning generally. I take it first that you are agreed that it is absolutely essential in the interest of the orderly development of the Calgary area that there must be a regional plan for the area?

A Yes, I am.

Q And would you go a step further and say that it is important for each Municipal group within the area to have an outlined general plan?

A Yes, under the present arrangement, Mr. Chairman, that is so, but what I would favour is a planning administration for the metropolitan area as such and a planning area be co-extensive with the metropolitan area only and not extend beyond the limits, the boundaries of the metropolitan area. I think that would simplify the planning operation considerably. In addition to that around a metropolitan area --

Q Can I, just a minute, can I interrupt you there. Now, when you say metropolitan area in the sense that you used

those words you mean within the geographical limits of the City of Calgary, don't you?

A In the meaning of the Submission made by the City of Calgary we are recommending amalgamation of all the area which has been subject to urbanization in and around the city and that's the area to which we refer as the metropolitan area. Now, the urban is the area beyond that.

Q Well, if there were, if there were amalgamation --

A That would be the City of Calgary and we wouldn't have the metropolitan area as such.

Q Right.

A Yes.

Q In that area you would still only have your Calgary Technical Planning Board within the meaning of the appropriate section of the Act?

A Correct.

Q Now, I want to discuss with you the suitability, with some changes, of the District Planning Commission as being the regional planning authority. You have told us that you are agreed that compulsory membership in the District Planning Commission is essential to orderly development of the area?

A Yes, because the, secession of one member can ruin any proposals for a general plan for the area as a whole.

Q Well, for example in connection with urban development or fringe area development in the Calgary area, if there were,

in a Municipality there wasn't a member the whole regional planning breaks down completely?

A That is an excellent example.

Q And would you agree that the, that roughly speaking the area now served by the members who comprise the District Planning Commission would be a desirable area for a regional planning authority in the Calgary area?

A Yes, Mr. Chairman, I do. I do believe it would be a desirable area and if the regional planning authority were established with regional or, to consider the regional function as opposed to the urban functions in the City, that possibly additional research would establish whether that is in fact a suitable size for the Calgary region whether it should be smaller or whether it should be larger, but I think it would be an excellent working arrangement to start from.

Q And you are agreed that if any members of the regional planning authority did not like any phases of the plan that they could have an appeal and that it would be preferable that that appeal be heard by a body that would sit in public and it would be what is known as a public hearing?

A That is correct, sir.

Q Now, I want to come back for a moment to the functions of the District Planning Commission --

A Could I interject another remark in here, Mr. Commissioner?

Q Yes?

A If a regional planning authority were established and the City were completely amalgamated or at least the metropolitan area were amalgamated into a unit in the city the parent organization would be considerably simpler than it is now. One of the difficulties to which I refer in my Brief is the fact that parts of the Municipal Districts and the Local Improvement District are within the metropolitan area, but by far the greatest part of their area is outside the metropolitan area and therefore there is no, the boundaries of the regional, of the metropolitan area and the Municipal units comprising it are not co-terminus and I think that makes a very, has a very large bearing on whether the thing can work well or not and I would state further that if a regional planning authority were established it should be established as a separate administration and that the only, there should be co-ordination through a Board or Commission between the City and the region, and there should also be inter-staff collaboration, but I think the two operations would be essentially different, different because their functions are essentially different, in other words one would be in its main function of city planning organization and the other would be in its main function a regional planning organization with fairly different functions between the two.

Q If the present set-up of the District Planning Commission in the Calgary area was changed, and it assumed the functions of a regional planning authority for the Calgary area, could you see any objection to the District Planning Commission continuing to act as an advisor to its members, and I am thinking particularly of the rural members, in advising them as to planning and by-laws, zoning, perhaps acting as their approving authority for subdivisions and so on?

A No, I don't. I mentioned it very briefly in the Brief, Mr. Chairman. I mentioned in the Brief also that, I don't say it explicity, but it is certainly implied in the Brief, that if we had a regional authority then Towns and villages within the region, such Town as Okotoks and High River to name only two, should be subscribing members to the regional authority and the function then of the regional administration as well as of the regional Board should be to give technical planning advice to the Towns as well as to the Municipal Districts which form the region and the Towns within it.

Q Would you care to elaborate a bit and perhaps list the village or Town authorities which you think would be appropriate should that membership in a regional planning authority in Calgary, in the Calgary area if one were established?

A Yes, sir. The City of Calgary, Crossfield, Airdrie, Okotoks, High River, Turner Valley, Cochrane, Beiseker,

they are all within the region and they are the considerable Towns within that region and I am suggesting the Towns be included in any regional authority, Mr. Chairman, because if anything happens within the region from the urban development point of view it would be in the vicinity of the Towns and the villages within the region. I made that with one stipulation yesterday that as far as the regional planning administration is concerned a considerably greater staff would be required for an operation of that kind than is available to the Commission at the present time, and that brings into the question, that brings into question the business of contributions, financial contributions, and I believe that the operation would have to be financed much the same way or perhaps a greater proportion being paid by the Province than is being paid at the present time because possibly the costs to individual Towns particularly and villages might be such that they couldn't carry it in addition to their other, to their other financial burdens.

Q Now, I want you --

MR. BROWN: Pardon me, Mr. Chairman, the Municipal Districts surrounding those Towns would necessarily have to be members.

A Oh, yes, we assumed that.

COMMISSIONER DAVIES: Yes, we assume that, Mr. Brown.

MR. BROWN: Yes, I just thought that it should be

said though.

Q COMMISSIONER DAVIES: Now, I want to discuss with you the question of what, if any, executive powers that you would think that such a regional planning authority should have in the Calgary area?

A It should have executive control of all subdivisions of land in the region, and it should have authority with respect to highway development in the region, it should have an executive authority with respect to any main, any main, I am not talking about individual zoning plans but any main land-uses in the region and for a long time this land-use would be adjacent to the highways and adjacent to the Towns and villages only because I think as far as the agricultural land is concerned that would largely be outside the jurisdiction of a regional Commission since any advice along those lines which is given now is done by the District Agriculturalist.

Q In other words the regional authority would be the authority that would be controlling the question of fringe development?

A That is correct, through subdivision and development control. When I said land-use immediately adjacent to the Towns in the region I also meant land-uses immediately adjacent to the City in the regions, and it would have absolute control over those land-uses.

Q In connection with what has been done in the metropolitan

area of Toronto, you are aware, Mr. Martin, of the Toronto Metropolitan Council that has been established on a Federal system for the thirteen Municipalities that make up the Toronto area, with a total population now of about a million and a quarter, you know that a Metropolitan --

A Yes.

Q -- Council has been established?

A Oh, yes, I know, I have the report.

Q And you are, I presume, also aware that the Ontario Government brought in legislation setting up a Metropolitan Planning Board that is controlled by the Metropolitan Council of the City of Toronto. You are aware of that too?

A Yes, I am aware of that.

Q Are you aware also that the way they have decided in Ontario to control urban and fringe development on the outer periphery of the large area governed by the Metropolitan Council is by giving the Metropolitan Planning Board which the City Council controls, complete jurisdiction over an area roughly going another eight miles beyond the legal boundaries of the City of Toronto?

A Yes, that is correct.

Q And so in that area the position is that in effect the City Council or the Metropolitan Council of Toronto not only controls the development within its legal boundaries, but also controls all development for roughly speaking a perimeter of about eight miles

beyond the Metropolitan Council's boundaries, do you know that?

A Yes, I do know that.

Q Now, in Edmonton this Commission was told that the Edmonton Planning, District Planning Commission didn't like that approach to the matter of control on fringe developments and I would like to have the benefit of your observations on that.

A I believe I would prefer the, I would prefer a different arrangement from the Toronto arrangement for this reason because on general principles I think that the area, the political area should be co-extensive with the area of control and administration and that the City should have control of development within its borders and I believe that sufficient collaboration and co-ordination can be established between the regional administration and the City administration to ensure with added powers in the Town or Planning Act that we can control fringe development from the regional authority rather than from the City authority because I think there would be a fundamental conflict between one Municipal authority and another Municipal authority.

Q Of course how they have taken care of that in Toronto is that if any of the Municipal areas beyond the boundaries of the Metropolitan Council of Toronto object to the Metropolitan Planning Board plan beyond the boundaries,

they have the right to send such objection to the Minister of Planning or to the Ontario Municipal Board for public hearing, but that wouldn't alter your opinion that it is, that you prefer that it shouldn't be controlled that way in Alberta?

A Well, that is an opinion which is based on the statements made in the Brief and perhaps if one sat down long enough and put down the pros and cons one could make a more objective appraisal of the whole situation, but right now I can still maintain that control, planning control should be co-extensive with the political unit.

Q There has been some discussion as to whether or not membership in the District Planning Commission should be limited to members appointed by the Municipal Councils that make up the District Planning Commission as at present or whether or not a Municipal authority should have the right to nominate any person to come and sit on the District Planning Commission irrespective as to whether or not they are elected representatives on a Municipal Council, for example let us suppose that the City of Calgary decided that there was no alderman available to give the time or for some other reason they couldn't get an alderman representative, that the City of Calgary would like to send their Planner or some member of his Planning Staff, or one of the City Commissioners, do you feel that the matter should be opened up so that a Municipal authority has a

choice of sending either an elected representative or anybody whom they deem fit to appoint to represent it?

A Yes, Mr. Chairman, I distinctly do think there should be the choice, although, Mr. Chairman, I think by a recent amendment it was open to a Municipal Council to send either one of its own members or some other person, some lay person from within the Municipality, and in the case of the City of Calgary the Calgary representative on the Calgary District Planning Commission is still not a member of council because his appointments have been continued and I believe the requirements of the Act in that respect are not retroactive and council has seen fit to continue his appointment up to the present time, but I would like to elaborate just a little bit, you mentioned the City Commissioners and members of the Planning Staff, you would then get on a regional scale what you have if, say for instance all the people were more or less tech--nically qualified in planning and Municipal affairs generally, you would get on a regional scale what you have now in the City of Calgary with its Technical Planning Board where all the members of that Board are technically qualified in Municipal work in one field or another. In that respect I think it would place Municipal Districts at somewhat of a disadvantage because they would not have available to them such men who are so qualified in Municipal work and the only person they could send in most

cases under circumstances, under that arrangement would be their Secretary-Treasurer because he is, he is about the only person who is technically qualified in Municipal work outside members of the Council, who is, in fact employed by such a Council.

Q I want to come back again to this, to the question of executive power, for example in dealing with approval of a subdivision plan, and that was one of the powers that you thought the District Planning Commission should have, wasn't it?

A The District Planning Commission has, is the approving authority for subdivisions in the Calgary District Planning Area.

Q What I want, but I want to go a step further than that, is there any suggestion that in this executive power that you would give the District Planning Commission that they could approve a plan in the case where one of the members of the Commission was opposed to the approval of that plan?

A I think that would be essential, Mr. Chairman, subject to the right of that individual member unit, subject to the right of appeal of that individual member unit to, to the same Board which might be established, an independent Board which might be established to hear appeals.

Q And a public hearing?

A And a public hearing. I think it would be essential, Mr. Chairman, pardon me for interjecting this that that

executive power were vested in the Board in the Calgary District Planning Commission subject to the right of appeal.

Q Is it your idea then that the Calgary District Planning Commission would be dealing with subdivision plans before the individual Council concerned has even seen it or may not even know about it?

A I think it would be more convenient if that were the case. I am thinking now only from the point of view of administration I think it would be more convenient for the plan to be filed first with the Staff of the Calgary District Planning Commission and the Staff send a report and possibly copies of the plan to the Municipal District concerned, I think it should be lodged initially with the Calgary District Planning Commission.

Q But it isn't your idea, as I understand it, that that would apply to plans within the geographical boundaries of the City of Calgary which would be dealt with by the Technical Planning Board that the City of Calgary has?

A That is correct, sir, because the City of Calgary would be in a different planning position, it would still have its own planning authority whereas the other authority outside is a joint planning authority responsible to a number of different member units.

Q There has been a suggestion --

A Pardon me, I wonder if I could --

Q Yes?

A -- interject a further statement. It would be essential that on plans of subdivision which are on the boundaries of the City or which should they happen to be on the boundaries of the City were co-ordinated within a continuation of that plan, if such a contingency arose within the area of jurisdiction of the District Planning Commission and then there would be inter, interorganization, co-ordination of that fact.

Q There has been a suggestion in the Edmonton area that the basis of representation on the District Planning Commission should be different than it is now and it is suggested in the Edmonton Area that membership in the District Planning Commission should be on a population basis and that for each unit of 25,000 population that each one within the area of the District Planning Commission should have one representative with a proviso that no one member should have over 45% of the membership, obviously of course that last reference is to --

A That's right.

Q -- in Edmonton, in that area it's to the City of Edmonton and in Calgary it would mean the City of Calgary. In other words any member of the District Planning Commission that didn't have a population of 25,000 would have one member, one representative on the Commission?

A Yes.

Q And each other Municipal group would have one member for each 25,000 or part thereof subject to this 45% proviso maximum for any one member. What would be your reaction to that?

A It sounds on the face of it, Mr. Chairman, like a very fair arrangement. I personally have not gone to the extent of working out what might be alternative arrangements, I think alternative arrangements should be put down on paper then perhaps an appraisal made of different methods which might be suggested and a choice made on that basis.

Q In giving thought to this the first thing that occurs to me is that in the case of a city of 200,000 people that would mean they would be sending eight members to the District Planning Commission meetings every month, I am wondering if they could find that many to go, so I want to put this further proposal to you, what would you think if the District Planning Commission was set up so that while each representative, each member only sent one representative and while all votes would be decided on a call of hands, a show of hands that if any member wanted a tabulated vote that his voting power would be on the population basis indicated. Do you follow me? In other words like shareholders in a company.

A Yes.

Q Each one, each member would be a, of the Commission there would only be one representative actually in

attendance at the meeting but he would be named to represent a certain population, let us say based on this quota that Edmonton has suggested.

A Yes.

Q Of 25,000?

A Yes.

Q But if anybody wanted to show exactly what the call would be on a ballot that the ballot would be on the basis of how much population is represented, would be represented.

A Well. that, that I believe, Mr. Chairman, would possibly be a better arrangement from the administrative angle, the point which the Commissioner mentioned of finding sufficient people to go on the Commission is a very good point. There is the additional item of expense because the members are paid, I am not suggesting that the members should not be paid, I am just speaking from the point of view of having to look into the preparation of a budget every year and having to save as many dollars as possible, and obviously the more members the greater would be the budget required for members' dues, for attending meetings, and I think it would be the better working arrangement.

Q There is another suggestion made in the Edmonton Area --

A There is one, I am sorry --

Q Go ahead.

A There is one difficulty with that. Say for instance any member absent at a particular time, say the City of Calgary,

say the organization has been set up on that basis and were absent or unavoidably absent with their mamber a very important motion might be lost or carried and be favourable or unfavourable to the City if it had been, but of course that would be overcome by appointing one or two alternate members with the same power as the original member and it would be very unlikely that an alternate member couldn't go if the original member couldn't go.

THE CHAIRMAN: We will take the adjournment now then, Mr. Malcolm. We will return at 11:00 please.

(Adjournment)

MR. BREDIN: Mr. Chairman, I would just like to ask for some direction in the conduct of this. I don't want to interrupt this very worthwhile cross-examination but with respect to financial analysis which is the shortpart which is put in as part of the City Brief, the two City Commissioners are here and the Commission may wish to examine them on some of the financial aspects, and I was wondering if it would be possible to have a time today some time to deal with that part. Now, I hesitate to clutter up the record by getting these parts in in the wrong order, but they tell me they will not be available tomorrow, and I was wondering if it would be possible some time today to get that portion in so that any examination

could be done at that time.

THE CHAIRMAN: Mr. Bredin, I have been hoping that we might continue or might conclude rather this cross-examination by noon today. If it appears at twelve we have not done that, then could we suggest to the Commissioners that they return, if possible, at two-thirty and then we will --

MR. BREDIN: Well, that's fine.

THE CHAIRMAN: I think certainly we will be through with the examination by then. Would you agree with that then?

MR. BREDIN: That is satisfactory.

DR. MAYO: No.

THE CHAIRMAN: Oh, Dr. Mayo doesn't think so. Then we will have to promote it to three, Mr. Bredin.

DR. MAYO: I think that might be better, Mr. Chairman.

THE CHAIRMAN: Well, I am very anxious, as Mr. Bredin has pointed out that we should not have the record now interrupted again at this point, and yet I am also anxious that the Commissioners should make their submissions if they are not going to be available tomorrow.

COMMISSIONER DAVIES: What is the position of the Commissioners for the next day?

MR. STRONG: Friday would be better.

THE CHAIRMAN: Well, in that case --

COMMISSIONER DAVIES: Because we wouldn't have any chance of getting through with the Commissioners in an hour or an hour and a half, I wouldn't think.

THE CHAIRMAN: Well, --

MR. BREDIN: That seems to be satisfactory, sir, with the Commissioners.

THE CHAIRMAN: We will try to amuse ourselves with something tomorrow then.

MR. FRERE: Mr. Chairman, does that mean it will stand over until Friday?

THE CHAIRMAN: I beg your pardon, Mr. Frere?

MR. FRERE: Does that mean the presentation of this financial brief will stand over until Friday?

THE CHAIRMAN: That is the way it would seem to me, Mr. Frere.

MR. FRERE: The reason I asked was that I hoped to get back to Trail today.

THE CHAIRMAN: I see.

MR. FRERE: Leave tonight. If it were at all possible --

COMMISSIONER BLACKSTOCK: "Abandon hope all ye who enter here."

THE CHAIRMAN: I hope you heard Commissioner Blackstock's quotation which begins, "Abandon hope."

COMMISSIONER DAVIES: Since Mr. Frere would be returning here for the 13th, December 13th, the day on which his

brief has been set to be heard following the Canadian Industries Limited, possibly it wouldn't be inconvenient to the City of Calgary to produce the Commissioners at that time again.

MR. FRERE: That would be quite satisfactory.

COMMISSIONER DAVIES: Or one of them.

THE CHAIRMAN: In the meantime you will have access to the record as to what takes place on Friday and it may be that you won't need the brief reviewed.

MR. BREDIN: The Commissioners say that will be satisfactory so long as they have some notice.

THE CHAIRMAN: Yes. Yes. Well, thank you very much, Mr. Bredin. We will carry on then on the assumption that the Commissioners will be here on Friday for the presentation of that part of the City Brief which is their direct concern. I might inquire of you this, there are considerable parts of the Calgary, of the City's Brief in which their presence would not be essential?

MR. BREDIN: Oh, I think that is true. The part of the Planning Brief, I think the Commissioners have in mind largely this financial analysis.

THE CHAIRMAN: Yes, that's what I --

MR. BREDIN: Which was prepared largely by them and with which they are the most familiar.

THE CHAIRMAN: And you plan to be here tomorrow?

MR. BREDIN: Yes.

THE CHAIRMAN: You could veer us off from anything which should be left until Friday?

MR. BREDIN: Yes.

THE CHAIRMAN: All right then, I hope that is satisfactory to everybody or as nearly satisfactory as we can make it. Well then, having consumed five of the minutes that we thought we were going to use to finish this up, go ahead, Mr. Davies, we will get through as soon as we can.

Q COMMISSIONER DAVIES: Mr. Martin, I want to come back again to the question of the applicant for a subdivision plan to clear up a point. Let's suppose that a person made application for a subdivision in one of the members', in the area controlled by one of the members of the District Planning Commission other than the City of Calgary your idea is that that would go first to the District Planning Commission and then would be referred back to the local Municipal Council concerned with the report?

A Correct, sir.

Q And then if it were approved by the District Planning Commission but not by any member of the District Planning Commission who wanted to appeal it, that they would have the right of appeal to a public sittings?

A Yes, that would be the arrangement.

Q Now, I want to come back now to the position of the

applicant to subdivide who has been refused, where is your idea as to where his appeal should be to or whether or not it should be a public hearing because it wouldn't be any use his appealling to the District Planning Commission because that is the decision in the long run that he would be appealling from, would it be your idea that he should have an appeal to the Planning Board of the Province as at present constituted by the Act or that he should have a public hearing also?

A It would be my opinion, Mr. Chairman, that if there were an independent Board set up apart shall we assume for the moment from the Provincial Planning Advisory Board, say a Board similar in function to the Board of Public Utility Commissioners, then the applicant for such a subdivision should have the right to appeal. This situation with respect to subdivisions is somewhat different at the present time than it is with applications for development inasmuch that the Calgary District Planning Commission is the executive authority for subdivisions now without reference to the, without necessary referenc to the Municipal District. It is not done but I am not saying that the way the subdivision regulations are written the Calgary City Planning Commission can approve or not approve plans of subdivisions within its area of jurisdiction.

Q THE CHAIRMAN: And there is no appeal?

A Yes, sir. There is an appeal to the Provincial Planning

Advisory Board on the part of applicants only, the other arrangement, of course, would assume that the system of appeals would be changed with respect to all planning matters and the advantage of the new method, I could put that differently, under the new proposed method whereby appeals were heard from Municipalities by an independent Board then that Board should also hear appeals from applicants from subdivisions because that is the only possible step of appeals which has been done as far as subdivisions are concerned, although not with applications for development.

Q COMMISSIONER DAVIES: Then I want to go a step further and ask for the benefit of your observations on rights of intervention or appeal by property owners who deem themselves adversely affected by the proposed subdivision.

A Well, if machinery of that kind were set up, Mr. Chairman, I can't see why the people who deem themselves to be injuriously affected could not state their case to and submit as evidence their information and why they are opposed to the proposed subdivision, it may even help the Appeal Board on its deliberations on the matter.

Q But what I was thinking is your opinion on the question of how far or to what extent should others who, other property owners who consider themselves adversely affected by the proposed subdivision have the right of appeal and I will give an illustration, supposing that outside the limits

of the City of Calgary that it is proposed to establish a certain industry in a certain area and that involves the subdivision, and if certain people in the area, immediately adjacent to where the proposed subdivision would take place, object to the industry being established there, let us say it is an offensive type of industry from the point of view of odour, for example, and they claim that there is some more suitable place that the District Planning Commission could obtain for the purpose of setting down that industry, what I want to know from you is to what extent do you think, and to whom should the adjacent property owners or people who claim they are adversely affected have a right of appeal then, is that clear?

A Yes, it's a question there, Mr. Chairman, I think with respect to that you would have to bring the zoning regulations into the picture and I would say this, that if the people who were objecting to the proposed development were living in their residential area as indicated on the zoning scheme, then they should be, have the right to be heard by a hearing in connection with this proposed area, if they were living in an area which is not a residential area then I don't think that they should have the right to be able to object again to the proposed industry. I would hope though that the District Planning Commission wouldn't make decisions of the kind which would place

industries in such locations where they might be offensive to people although that doesn't properly come into the question under discussion.

Q Now, two or three small matters. What studies, if any, has the Calgary District Planning Commission carried on for its members other than the City of Calgary and are copies of those studies, if any, available to the Commission?

A Well, some of them are somewhat minor in extent. We have a financial, I am sorry, a report on commercial development in Bowness, commercial zoning in Bowness which we can file with the Commission. We have a report on commercial development in Springbank which we can file with the Commission. We have the files on replotting schemes in the Town of Forest Lawn and the Municipal District of Springbank which we can file with the Commission. There are others but those are the ones I can recall at the present time.

Q And then does the Calgary District Planning Commission put out a printed report at the end of each year dealing with its activities and financial statement and so on?

A Well, we do, but it is in effect a similar thing for the past two years, well, the year before last in 19--, I am sorry, last year in 1953 we had a conference at which time we brought before the public and the member units the work which the Calgary District Planning Commission

is doing and that was displayed in a series of maps and short reports and this year we had open house in the Town Planning Department Office, in the office of the Calgary District Planning Commission, displayed the maps which had been prepared, the reports and studies had been prepared during the year, and displayed them for the benefit of the public generally and the benefit of the member units.

Q Well, could we have copies of the financial statements of the Calgary District Planning Commission filed with us?

A Yes, sir, for 1954 or for several years back?

Q No, well, as far as I am concerned that would be for several years back.

A Oh, from the time of its inception?

Q Yes, one can look at a financial statement and one sees the distribution of costs and one can get --

A Yes, all right.

Q -- certain comprehension of what the work is. Let us suppose, Mr. Martin, that the City of Calgary in making its plans within the city boundaries formulates certain trunk roads to carry the traffic, those roads ultimately reach the stage where they come to the city limits and go on out into the rural area, is that right?

A Yes, that's right, Mr. Chairman.

Q And we have been told in Edmonton that there are some of these roads in Edmonton that come to a blind end where there

is a house sitting on the property in the rural municipality. Now, obviously the projection of roads from the city when they get beyond the city boundaries to rural areas to serve the city have to be tied in with the plans of the city, that is correct, isn't it?

A That is correct, sir.

Q And that may call for a considerable amount of expense on the part of the rural municipalities, that is right, isn't it?

A That is correct, sir.

Q Is there any signs in the Calgary Area that the municipalities adjoining the City of Calgary are not able to take care of the expense of carrying these trunk roads on out?

A With one exception I would say there would be extreme difficulty, Mr. Chairman. I wonder if I could elaborate somewhat on that. It goes back to our submission for amalgamation because there are actually other difficulties besides the planning function which come in the way of interim municipal collaboration of shall we say, this might be, it all depends on how this thing would be financed, we assume for the moment it is to be capitalized, well the City's system of capitalizing a certain project is completely different from that available to a Municipal District and the powers of expropriation vary, the powers of expropriation are necessary, in other words there are a great number of little hindrances in the system which

relies on interim Municipal agreements to carry out certain things. We have had occasion, well, we have had experience of that sort of thing very recently. If the Commission will recall the Corlet Subdivision, the Municipal District District of Springbank isn't necessarily opposed to that plan of subdivision going forward or the development going forward, nor is the City of Calgary, but because of the difficulties in hand in municipal arrangements between the two, because of the system, shall we say, it is just, it is almost impossible to do anything about it because before we can extent utilities into that area we have to go according to the Municipal Act and get a vote of the ratepayers of the Municipal District of Springbank before that thing could be legally permitted. Those are the sort of obstacles that come in the way, apart from the planning function, of extending shall we say a road, a major thoroughfare which is common to the Municipalities in the planning area.

Q Do you think a good case can be made out for special Provincial assistance in this matter of railroads and in other trunk roads leading into the city from the Munitipal Areas that are not classed as main Provincial highways?

A I think an excellent case could be made out. I think it is mentioned in another way in the City of Calgary Brief as far as responsibilities for highways are concerned.

I think it should also be approached from the point of view particularly for ring roads from the point of view of being a Civil Defence measure. I think an excellent case can be made out for that, but that would also have to go, to be concurred with better administration arrangements inter-municipally, if, there would have to be inter-municipal co-ordination on some of these things. The difficulty now of course being that the City functions under the City Act with certain powers and M.D. functions under the Municipal District Act with certain powers and methods of financing and carrying out projects and the thing becomes very complicated with a work of that kind when it has to be carried out between two Municipalities.

Q You told us yesterday, Mr. Martin, that the City of Calgary had passed a by-law to have a general plan prepared and I assume from that that there is a statement dealing with an outlined general plan for Calgary, is that right?

A Well, there are statements in the form of proposals for a major thoroughfare system for the City. There are statements in connection with the main land uses proposed in the City, and there are statements of that kind in connection with various aspects of the general plan.

Q Would it be a very comprehensive thing to have a statement, a copyof that statement filed with the Commission?

A Well, a statement of the land use proposals can be filed

almost immediately. I would like to say though that it is, it is in draft form at the present time and Mr. Bredin and I are still working on it and getting it into better shape than it is at the present time, but insofar as it is a statement it could be filed with the Commission immediately.

Q How long would you estimate it would be until the City of Calgary is in a position to file or let us say to pass a by-law that will contain the general plan, two years?

A No, sir, it wouldn't be that long.

Q One year?

A It could be done within a year. The difficulties about working on a general plan have been the great rapidity of the post-war expansion and the introduction or the passing of the Interim Development By-law has placed a lot of administrative work on the Planning Department which would not have been required under the zoning by-law. Now, I am not suggesting by that that we should not have passed the Interim Development By-law because I personally don't see how we could have coped with the very rapid development which has gone on since, particularly since 1950. I am just making that as a statement of fact that the administrative work entailed in administering the Interim Development By-law has been such that the work on the general plan proposals has been slowed down. There is another point of view that is not a necessarily bad thing

because in the past too many plans have been made hurriedly, they have been put down as paper plans, they have not been co-ordinated with administrative organizational procedures, and we in the City of Calgary through the operation of the Technical Planning Board I think have very much comprehension of what is entailed in planning not only from the point of view of drawing a plan for the area and saying if we only do this everybody will be happy and things will be fine, but I think we have been brought face-to-face with the realities of what planning involves and that concurrent with physical plans you require administrative machinery to see they are carried out and I think from that point of view the period of interim development has been very educational.

Q Yesterday you told us that you would anticipate that if amalgamation resulted that all building activity would pretty well cease in Bowness, Montgomery, and Forest Lawn on the ordinary sized lots until such time as sewer and water reached those areas?

A I said, yes I said that, Mr. Chairman, if the City's policy in that connection were then extended to be co-extensive with its new area that would be the case.

Q Is it the Commissioners we should inquire of as to what would be the projected period of time for those utilities to be available or do you deal with that?

A Well, I think perhaps it might be better to examine the

Commissioner of Public Works in that respect, but I think it would be dependent on the financing on these and how quickly arrangements for financing can be made on which the extension of the utilities would hinge.

Q Now, there is just one other matter I want to deal with, Mr. Martin, and I am referring to Exhibit 24C, dated July, 1953, an outline report on land requirements for housing a metropolitan population of Calgary.

A We are going to give you an amendment on that, Mr. Chairman, because I am thinking in that connection from the point of view, the direction in which the City ought to expand has been changed completely since that report was written and we have asked the opportunity of filing that with the Royal Commission.

Q Could I ask you this, is there any change in the thinking as set out here that for roughly speaking, for every 100 acres of additional land that is added to the boundaries of the City of Calgary that approximately 45 acres are absorbed in roads, lanes, schools, minor parks and commercial development, leaving 55 acres for residential development, is there any, will there be any major change in that calculation?

A No, sir, I should qualify that though to this extent that it applies to fully built-up areas naturally.

Q Yes. Well then, to go a step further also contained in this Exhibit 24C there is a statement to the effect that

using a density, a population density figure of 14.8 persons per gross acre in a single family residential zone, that out of each 100 acres that is added to the total area of the city of which 55 acres roughly goes to residential that that produces a population of 1480, approximately?

A Per hundred acres, that is, the principle behind that is correct but subsequent studies have shown, we have carried out additional studies since 1953 on areas which were developed since the War and which now have become fully developed and we have reached the conclusion that the density is not 14.8, it is in fact closer to 11 than it is to 14 or 15.

Q Well, I will tell you why --

A In single family areas.

Q -- I am inquiring about this is that on the basis of the figure you gave us yesterday as to the area of the City of Calgary at the end of '51 plus additions in 1952 plus annexations that will be effective at the end of 1954, that I got the total area of the City of Calgary when, including how you would propose to extend your boundaries in accordance with the Map filed, I got the total area at approximately 110 square miles, and making calculations on that basis and from this 1953 population report, I arrived at the conclusion that these new boundaries of the City of Calgary would support a total population of 648,832 people?

A Was this --

Q And then I added to that 139,100 and then arrived at the total population figure for this new area of 787,932 people and against that you gave what you called a very rough estimate yesterday of 380,000 people and I am wondering if you would care to re-examine that more closely?

A Well, I wonder if I could inquire the basis of your calculation, was it a basis of 45 per cent being, taken off for educational or for streets, for parks and schools and so forth.

Q Yes, right on the basis of the statement made in this Exhibit 24C.

A Well, that statement speaks of an area of 100 acres and we are not assuming for instance that rivers go through that area, for instance the Bow River and the Elbow River and the Glenmore Reservoir themselves will take off a considerable area and I don't know if you took into your statement also the fact that large parts of this area would be for very large industrial industries which might take in as many as 1200 acres of land, in other words to be accurate the figures should be accompanied by a, at least a rough breakdown of what the land --

Q The land use.

A -- the land use.

Q Yes?

A Which is intended, and that is what we intend to file with the Commission as soon as possible.

Q Well, I cross-checked my figures with the City of Toronto where we know the area, that's the Toronto Metropolitan Area as now under the jurisdiction of the Toronto Metropolitan Council as 240 square miles, and assuming a similar density, that is a population of 52,208 in the Toronto area for each ten square miles and still if we compute the population for this new total area suggested for Calgary on the basis as the same population density for the Metropolitan Area of Toronto, that gives us practically 600,000 people that would be contained within these boundaries as proposed to the City of Calgary in contradistinction to the very rough estimate you made of 380,000 yesterday?

A Well, there are three factors which had to be very carefully considered in the computation of the over-all population and one is the area which automatically goes off for railway lines, for the rivers, the Glenmore Reservoir, and around that area generally which are not going to be used for anything, and we have some very rough topography around Calgary; the second you, did you take the figure of 14.8?

Q Yes I took the figure of 14.8.

A And that is too high for future development because we have found that the density is not in that neighbourhood,

that it is in fact between 11 and 12 in residential areas. Those are the important figures and the next one is land use breakdown because very large portions of this area would be given over to greenbelt. and there would be residential areas of course, very large areas would be given over and reserved for future large industries, particularly that area which is shown on the map as being adjacent to the Bow River, so I think for the sake of clarity we should file with the Commission as complete a picture as possible of this area, and give tables of density and show in colour or through some other method the land use breakdowns and give rough calculations of what area is taken up by rough ground and by topographical features such as rivers and the Glenmore Reservoir.

Q And when do you think we could have that, Mr. Martin?

A You could have them within a month. We can give you rough information before a month is over but we would like the work to be presented in a good manner so that we have time to take it to the interested parties.

Q I might say for your information we have that for the Edmonton area, and we have those calculations on conditions proposed in Edmonton and you agree that we should have them here?

A Yes, sir.

THE CHAIRMAN: Well, Mr. Martin, I might interject to say that a week from today say, or tomorrow, we will be

in a position to do two things, to determine whether we are returning for a sitting here some time in the New Year and the approximate date which will then enable you, we are very much concerned that you should have time to do the job properly because all these charts and maps which you have submitted have been of a very great value and I should like your Department to have time enough to do it in the way you would like to do, on the other hand you will bear in mind that we can't come back to Calgary every other week so that if you would, if we can arrive at a time before the close of this sitting next week, when we are likely to return to Calgary, then we can discuss with you the possibility of that being sufficient time for your purposes.

Q COMMISSIONER DAVIES: Mr. Martin --

A In the meantime work, I am sorry, Mr. Commissioner, in the meantime work could be got under way immediately.

THE CHAIRMAN: Oh, yes.

A By my office.

THE CHAIRMAN: I realize that.

A To give it in greater detail.

Q COMMISSIONER DAVIES: Mr. Martin, some of the other Commissioners will want to ask you some questions. Personally I want to thank you for your patience and also for being so frank in your answers.

EXAMINATION BY MR. BLACKSTOCK:

Q Mr. Martin, I would like to discuss with you very briefly the question of the form of government. Now, in due course we will be making a report to the Government, and there are varying recommendations that we might make, and one is that nothing be done, just let the present mess continue, or the other is that we could recommend a metropolitan form of government such as they have in Toronto; we could recommend amalgamation as it istproposed in the Calgary Brief. We have heard and briefs have been filed with us by the Communities that favour the metropolitan idea, we have briefs that favour the amalgamation idea, but there is still another method that might be thought of and that is to introduce the county system as a form of government in Calgary and Edmonton, and that would involve one council, no school board, and committees of government of the Council would deal with various jurisdictions such as schools, hospitals, and the like. Have you given any thought to that form of government?

A No, I haven't given it very much thought at all. I would like one point cleared up, would they be committees of Council members, or would they committees appointed by Council?

Q No, a committee of Council members. I will point out one difficulty to you myself, Mr. Martin, that personally, and that is the question of separate schools. Even if we

adopted the county system or recommend it, we would, nevertheless have no power even if we wished, we have no power to abolish separate schools, that is a part of our--

A Well, Mr. Chairman, I would like to examine more closely and I would be particularly interested from the point of view of planning if it meant that the planning function would be administered by a committee of Council as opposed to presently being administered by the Technical Planning Board I would be sadly opposed to it because I think that our planning functions in the City of Calgary have been reasonably effective.

Q Well, would you like to think about it a little more, Mr. Martin?

A Yes, sir. I would also have an opportunity to go into it with Mr. Bredin and to examine the County Act specifically which I haven't done, at least not recently, I have just given it a cursory examination.

Q That was enacted in 1950. All right now I want to discuss the other two, supposing we said to the Government we recommend a Metropolitan form of government, well, we naturally should say to the Government why we make that recommendation, and we must also say to the Government having recommended that we do not suggest amalgamation with one council, we should give some valid reason for favouring one and opposing the other. Now, would you care to discuss those two phases, you presented the City Brief

and it is definitely amalgamation. Now, can you give me any reason, short pithy reasons for that recommendation and short pithy reasons against?

A Yes.

Q The metropolitan form of Government?

A I believe I can, Mr. Chairman. In the Calgary District Planning Brief we don't recommend amalgamation and yet we don't recommend against it. We recommend amalgamation for the Municipal Districts or those parts of the Municipal Districts which comprise the metropolitan area and the Local Improvement District but we don't necessarily recommend amalgamation of Forest Lawn and Bowness, not that we are against it but we felt this was a matter which should possibly be decided by the City and those two Towns, but in the Brief I did go on to examine, briefly I admit, the alternative, the two alternatives that is complete amalgamation and amalgamation by some sort of Federal arrangement which would be inherent in a metropolitan system, and I say, I list eight arguments beginning on page 25 "Solution by Amalgamation.", and I list some arguments, "Solution by Metropolitan Organization other than Amalgamation.", beginning on page 26, and on page 27 in the Brief, "It is suggested however --", the third line down from the top of the page, "-- that a federal scheme is the better functional arrangement only under the following conditions:

(a) When the administrative area becomes so large that central administration becomes too costly and excessively cumbersome:

(b) When long traditions of local rule and administration have become established and fierce local loyalties exist:

(c) When there is sufficient differentiation of local problems and functions to warrant local control.

(d) When individual municipalities have large populations, are well established, have a fairly complete range of services and utilities and departments to administer them."

Q Could you enlarge on those?

A Well, take (a) in turn, "When the administrative area becomes so large that central administration becomes too costly and excessively cumbersome." Well, by that is meant the actual physical distance to be covered in the administration of the area itself and I believe in the Calgary area we have certainly not yet reached the point where that sort of thing becomes unwieldy.

Q In any event you are saying whether you have amalgamation or a metropolitan form of government the area will be the same, won't it?

A Yes, but the administrative machinery would be more complicated for that same area. The area would be the same,

admittedly but one might ask why introduce all this added administrative machinery when the area is not so large that it can be administered by a single administration.

Q What you mean by that is that you would have overriding metropolitan authority, you still have your Calgary Council, Bowness Council, Forest Lawn Council, that is what you mean by the area being too large for efficient administration?

A I don't think I quite mean that, Mr. Chairman. I mean this that assume the areas of the rural Municipal Districts involved in this proposed annexation and the two Towns were all within the metropolitan area then there would be, according to this statement here, two possible forms of solution, one might be by complete amalgamation in the City and one through the retention of the City with its government and for certain functions the Town of Bowness and Forest Lawn with their governments, then there would be certain functions of the three that would be pooled under one organization. Well, immediately you start doing that you introduce complication in the administrative system, what I am maintaining here is that our administrative area is not yet so large and taken in conjunction with the other reasons I list that it is necessary to go to that extreme in the Calgary Metropolitan Area at this time because I don't think the problem is big enough that it warrants setting up the complicated adminis-

trative machinery and at the same time introducing a new Act in the Legislature to make it possible, and then (b) "When long traditions of local rule and administration have become established and fierce local loyalties exist.". Well, unquestionably in the Calgary area there are local loyalties both in the Town of Forest Lawn and in the Town of Bowness.

Q You mean local pride?

A Local pride, and as far as the Town of Bowness are concerned they are submitting in their Brief that while they perhaps would like some form of local control that their best solution is in amalgamation with the City, I believe that Forest Lawn is going to take the stand that they would like to run their own affairs for the time being and that they will be in a better position for amalgamation at a later time. Well, with respect to that last point I disagree with that wholeheartedly because I think if there is a feeling for local autonomy now the feeling will increase rather than go the other way, that is a personal opinion, of course, I think it can be backed though by experience from other cities in other parts of the country. "(c) When there is sufficient differentiation of local problems and functions to warrant local control." I don't think the urban functions administered in the Calgary Metropolitan Area are sufficiently differentiated so that local forms of

administration are required to be set up to deal with them and "(d) When individual municipalities have large populations, are well established, have a fairly complete range of services and utilities and departments to administer them." Well, I mentioned in another part of the Brief that the City of Calgary is the only Municipality in the metropolitan area with a complete range of departments and a complete range of services and utilities which are ordinarily associated with urban communities and that the other Municipalities of the metropolitan area have as yet worked out only embryonic forms of administration. Another point which is inherent in point (d) is the population, if we go back to, consider as Mr. Davies considered for a while the Toronto Metropolitan Area, well each contributing or each member which is party to the scheme has very large populations and taken in total their populations, I just forget the exact statistics at the moment, but approximate the area of the population within the area of the city itself. Now, Winnipeg would be much the same, St. Vital, St. Boniface, Kildonen and other suburban Municipalities together probably constitute a very high percentage of the population living in the metropolitan area. Now, the opposite is true in the Calgary area. The question then arises should we deliberately introduce a new form of administration which would be much more complicated than a single Municipal unit in an area where

there doesn't seem to be, where the problem doesn't seem to be big enough, at least from the point of view as outlined on page 27, where the problem doesn't seem to be big enough to warrant introducing additional legislation in the Legislature to draw up a new Act for a metropolitan form of government.

Q In population studies, Mr. Martin, are you able to assign any cause or causes for the influx of population to Calgary?

A Well, we have assigned, I think, some definite reasons for the great influx of population into Calgary since the last war. I think basically the population of Calgary was dependent before the war on the agricultural area within which the City is situated and its actual processes up to that time were largely based on the agricultural production in the Calgary region such as packing plants and flour mills and so forth, but since the war, and with the discovery of oil, with the greater discovery of oil in the Province I think most of the additional population has been by the additional business which was generated in Calgary through the discovery of oil. Now, here it may have been different from what it is in Edmonton. In Edmonton I think perhaps the manufacturing and the working industries have perhaps been in higher proportion but in Calgary it has been the commercial aspects, the large offices, the main offices of

the oil companies and so forth which are established in the city. At the same time several, two years ago the city instituted a planning programme for the establishment of industries in this city, and I think that perhaps that has been thoroughly successful and I think perhaps that has been an additional stimulus to the increase of population into the Calgary area.

Q That is capital cost of construction?

A Capital cost of construction.

Q Now, do you believe that that is going to go on until your optimum size has been reached in population?

A I don't think there will be a straight line, shall we say, increase as it has been say since 1946, but I think in the long term of the city there is undoubtedly much more, much further attraction for the city growing, continuing growing from this point.

Q Supposing your capital cost, capital construction cost should fade away, what percentage of your population will you possibly lose?

A Well, there have been various estimates, I wonder, Mr. Chairman. if Commissioner Blackstock means that, whether we should lose population or whether we, the increase in the population discontinues.

Q Discontinues.

A I see. Well, the building industries have, and I am referring now to a report of the Calgary House Builders'

Association which was published just over a year ago, and reference at least was made to it in the newspapers, and I believe that they said that 30% of the people employed in the city were either directly employed in building or in some allied trade. I am informed the last figure was 22%.

Q Twenty-two?

A Twenty-two.

Q And if that should stop what are you going to do with a huge city of 110 square miles?

A Well let's look at it from this way, from this point of view, Mr. Chairman, it would be a huge city of 110 square miles but inherent in our principle of amalgamation is also the proposition that we should have graded service areas and I think the situation can remain dormant at that stage and those areas keep, retain competent administration in the meantime because, perhaps this isn't going to be the last surge in the growth of the city, that we have had, in ten years' time there may be another one, we don't know.

Q I have been through three of them. Well, thanks very much, Mr. Martin. I want to add my quota of thanks for your attendance, for your presentation and for your frankness on every question that has been asked.

THE CHAIRMAN: Mr. Hayes, perhaps you would defer any questions you have until two o'clock?

COMMISSIONER HAYES: Yes, I don't have very many.

THE CHAIRMAN: But too many to try to get in three minutes?

COMMISSIONER HAYES: Yes, I am afraid so.

THE CHAIRMAN: Then, Mr. Martin, if you will, I can't see how you can avoid continuing on the stand when we go on to the City's Brief, for the opening at any rate since you presented it, but I do think that at some time you should have a breather, possibly the two hours will give it to you.

A Well, the Chair has been a great help, Mr. Chairman, thank you.

THE CHAIRMAN: Thank you very much. You mean by not having asked any questions?

MAYOR MACKAY: I might say, Mr. Chairman, what Mr. Martin has been trying to say, we might as well put the words in his mouth, "Now, we are the Oil Capital of Canada and we intend to continue so.".

THE CHAIRMAN: Should that be in the record? We are adjourned.

Afternoon Session
8 DECEMBER, 1954.

A. G. MARTIN, recalled, already sworn, testified as follows:

THE CHAIRMAN: Yes sir, Mr. Crisp.

MR. CRISP: Mr. Chairman, before we proceed this afternoon there is just one correction that the Town of Forest Lawn would like to make to the statements of this morning. During the cross-examination of Mr. Martin, reference was made to amalgamation, and I believe he stated that Forest Lawn was temporarily against amalgamation, and might at some time in the future consider amalgamating with the City. That is not quite the case, the town is taking the firm stand at this time against annexation until they hear the city's plan, what the city has to offer. At this time they are taking a firm stand against annexation.

THE CHAIRMAN: So that the only question is, Mr. Martin's looking to the future, is that it. He said they were opposed to it.

MR. CRISP: Yes, but that we might consider coming in the future, but we have no views on the future yet.

A Well, Mr. Chairman, perhaps I could explain how that came about. The statement I made this morning was based on a remark made by one of the members of the Council of the

Town of Forest Lawn, and I thought it was representative of the Council as a whole, but apparently it was not, and the statement he made to me was definitely to the effect that they would be in a much better position for annexation once they had got their sewer and water utility in, and that they would then consider annexation after that.

THE CHAIRMAN: Yes. That was the meaning I took from your statement this morning, that when this present installation of utilities was completed then they would be in a position to consider. So it is all right, Mr. Crisp, we will have that noted in the record and there will be no misunderstanding. Now, I am not sure whether you have completed your questions? Not quite. All right, Mr. Martin, Mr. Blackstock will carry on.

EXAMINATION BY COMMISSIONER BLACKSTOCK:

Q Mr. Martin, at the Hearing in Edmonton we had quite a little discussion concerning compensation to those persons whose lands had been in the greenbelt. I think possibly we should have some discussion on that same subject here. You, of course, are familiar with Section 86 of the Act, the Town and Rural Planning Act. Perhaps I should read it.

"No person shall be entitled to compensation by reason of the passing or making of a zoning bylaw or of any provisions contained therein, or of any lawful action taken under the provisions

thereof."

Now, to my mind this next one is really significant.

" Where a person claims that he is entitled to compensation (a) by reason of the passing of a bylaw adopting a general plan or development scheme or by the passing or making of an interim development order or bylaw, or (b) by reason of the carrying out of a provision of a general plan or development scheme, he shall not be entitled to compensation if the provisions of the plan, scheme, order or bylaw are such as might have been contained in or enforceable by means of a zoning bylaw."

Our attention was drawn to a number of statutes where land is taken, but where compensation is payable, and you, of course, are familiar with the provisions of compensation payable when there is a re-plotting scheme, but in this there is no compensation, that is quite definite. Doesn't sub-section 2, by necessary and proper implication concede that there are cases where compensation might be payable?

A Yes, sir, in all cases where the provisions could not be enforceable under a zoning bylaw directly as stated.

Q Yes, and my own conception is much wider than that. Now, in Edmonton they have what they call a greenbelt. You don't designate any part of your area as a greenbelt,

but I suppose you would agree that the greenbelt is only giving a name to an area which is to be devoted to a particular purpose, agriculture, as you said yourself?

A Agriculture, yes, that is correct.

Q Yes. Now that, of course, is not depriving a person of a land, but it is depriving that person making use of that land in some fashion which he might wish, is that right?

A That is correct.

Q And by reason thereof he might suffer substantial damage. Let me put this to you in that connection; would you want to buy a piece of land in a greenbelt knowing that it was in the greenbelt and that you would have to devote its use to agriculture for some unforeseeable time in the future, would you yourself wish to?

A Well, I think it would depend on one's motives, Mr. Chairman, if I were a farmer I may wish to do that.

Q Supposing I am a farmer and I think that that land is going to increase in value --

A Increase in value?

Q Yes, by reason of development; why should I be deprived from the right to get that increase in value now rather than wait for some undeterminable period?

A Mr. Chairman, that is a rather difficult question to answer because it brings in the question of moral principle, and it brings in the question of equity and justice, and I don't think that I am in a position to, it is not, I

don't think it is a very tangible thing, I mean that one can just answer with a yes or no, but I think if there were compensation in a case of that kind, let's put it the other way around, let's say that the man were subject to the greater value being placed on his land because it is suitable for industrial purposes, or it might be suitable for industrial purposes, and say that the plan does reserve that for agricultural purposes, then perhaps he should be subject to compensation, but it could also be the other way around, say that had always been agricultural and through some provision of the plan it were included in the industrial district, then should he be liable to pay the municipality betterment because his land has increased in value.

Q He might have to pay on the unearned increment tax to the Government on the profit that he makes when he sells to some industry?

A That would be little comfort to the municipality though, under the unearned increment it would go to the Province.

Q Well, let me put this to you; supposing I owned a section of land right on the southern boundaries of the City of Calgary, that land would be in the greenbelt. Perhaps I bought it being far-sighted, I say to myself, perhaps in ten years that land is going to be worth something, in the meantime I will rent it or work it myself; and then suddenly, because of Town Planning, I find I am

deprived of any use of that land excepting for agriculture. Why should I be deprived of my compensation for my foresight?

A Well, that, it certainly has very wide ramifications. In the first place your land has value because it is close to the municipality. Now, could you attribute the proximity of your land, say you bought it fifty years ago, to the City of Calgary, through your wise management 50 years ago, and now 50 years later you are reaping the benefits of your wisdom of 50 years ago?

Q No, but if I am in a greenbelt what benefit do I get? I am condemned to use my land for agriculture until a Planning Commission says "Now here is a big heavy industry wants to come in here and you can sell it?"

A Well, let me put it this way, Mr. Blackstock.

Q I would rather you answered my question?

A I can't answer your question yes or no, Mr. Blackstock. If your greenbelt, we are both agreed, agriculture should be pursued in the greenbelt, but you can carry on agriculture anywhere between here and Lethbridge and even beyond, and what about the chap, what about the chap fifty miles away, or 40 miles away from the city?

Q Oh, but you will have to add to my proposition that I bought it and I want to live in Calgary, my farm is only seven or 8 miles out. There are a lot of farmers doing that?

A Well, I would go along with the principle of compensation, Mr. Chairman, but it also brings in the counter principle of betterment because I think it should be a sort of revolving fund, that there should be as many betterment payments from individuals as there are compensation payments by the municipality, or whoever is going to make them.

Q So that you concede the principle of compensation, but when the time comes that I can sell the land that I had to pay my profit back to the municipality, is that it, or pay back the compensation I have got?

A You are assuming that you had been paid compensation, you assume that you reap the benefits of your investment?

Q Yes?

A Yes, I think that would be fair.

Q But in the meantime I have the compensation to which I can put it to good use, even put it in government bonds at 3%, eh? I mean, isn't that a fair element of compensation?

A Well,if you wish to invest your money that way.

THE CHAIRMAN: The general principle of compensation is one that has been before us on several occasions. I am sure Mr. Blackstock would like to hear anything more that you have to say on the general principle of compensation, which seems to be in a section, two sections of the book.

COMMISSIONER BLACKSTOCK: Let me mention this to you, Mr. Martin; I think that under our law any sovereign body, such as the British Government, or the Province of Alberta, or the Dominion Government, have the right to expropriate without paying compensation?

A Yes, sir.

Q I know of no case where the Crown has ever asserted that right, and here is the only one statute I know of in the Province that denies the right to compensation for depriving a man of the use of his property in such proper way as he may see fit. Now, do you agree that that is a sound principle?

A Well, I think the principle of compensation is very sound, Mr. Chairman, I think it is extremely sound, but I think a lot of work would have to be done, a lot, well, a lot of work would have to be done to make it practical because it all depends on how much compensation, how much he is losing from his land. It may turn out that a Board of Arbitration, which would certainly have to set the compensation figure, if any, might not consider that he was deprived of the use of his land, simply because he now wants to use it for a factory, where for 10 or 15 years he was using it to raise wheat on.

COMMISSIONER DAVIES: Well, Mr. Martin, if the State exapropriated your land for a road and took the fee simple title away from you, there is no doubt they would

pay you for it?

A There is no question whatsoever.

Q COMMISSIONER DAVIES: So Mr.Blackstock is down to the further proposal, what is the difference morally in the question of compensation between compensating for taking your land away from you totally, which they do, but refusing to compensate when they delimit the use of your land and greatly adversely affect its value, that is what it is down to, isn't it?

A Yes, that is correct.

COMMISSIONER DAVIES: Is there any moral difference, or is the State merely afraid of the bill in the second case?

A Well, under what circumstances, could I ask this question, would a person claim compensation, I mean, when would he be entitled to it?

COMMISSIONER DAVIES: Well, Mr. Blackstock bought this section of land for $20,000.00 because he had foresight to see Calgary would develop. Now, commercial concerns come along and offer him $150,000.00 cash for it if they can use it for some purpose which is not agriculture.

A That is a different question. He isn't entitled to compensation from the passing of the zoning bylaw. I think he should have to prove a concrete case, he would have to prove a concrete case that he could get $120,000.00.

Q COMMISSIONER BLACKSTOCK: Under those circumstances,

would you recommend the abolition of that zone applying to that property?

A Well, I think at least it should be subject to right of appeal as a minimum.

Q Oh yes, but answer my question?

A Yes, sir, I would.

Q And supposing that happened a year from now, supposing I wanted to put a very high-class residential district on my half-section of land, would you let me do it?

A Well, I am afraid we couldn't let you do it, Mr.Blackstock.

Q You couldn't, and you wouldn't give me compensation either?

A No, sir. We would, though, expect that you would go to the Courts to determine whether in fact this is a valid provision to have in the Town and Rural Planning Act.

Q Well, I have got my own idea about that but I am not going to express it here.

MR.BREDIN: Mr. Chairman, there was a point I had when this question came up, if I might interject now, and that is another problem that we have difficulty with, and that is the relationship between assessment and zoning. In the case that Commissioner Blackstock cited this man, I think yourself suggested, that you owned this land on the outskirts. You may for years have been paying on the basis of that land being on the outskirts, and being taxed largely, to some extent at least on its potential value. The general plan might then come in and

reduce that, or revert that to a greenbelt, and the taxes that have been paid over the years to some extent, based on that potential value would be completely lost because the market value of that land would depreciate, I would think, having regard to its zoning as a greenbelt, and the owner would have spent thousands of dollars, presumably, on taxes, which were spent on the supposition that it would be used for a use relevant to the city, and a use which subsequently could not be realized, and we have that problem in our assessment department as to the relationship between zoning and taxes, and I think it is a fact to be considered in relation to this?

A Well, it is certainly a fact, Mr. Chairman, but when it comes to compensation I think the amount of compensation is a critical thing, because the figures involved could very soon become astronomical, and I think if you are going to concede the principle of annexation then you could look at the problem from the viewpoint of the municipalities buying the greenbelt and leasing it out to such people who want to farm it, because I think that in the long run, that would be the cheaper way of doing it, but in your case it would mean the difference between 20,000 and 120,000.00 dollars, $100,000.00 for the property which could probably be purchased for $30,000.00. I think the property should be purchased outright by the municipalities, and they could pay for the greenbelt

much more cheaply than they could through compensation.

Q COMMISSIONER BLACKSTOCK: You are not suggesting there is anything immoral in making a profit of $100,000.00, are you?

A Certainly not, Mr. Chairman.

THE CHAIRMAN: All right, Mr. Smith.

Q MR. SMITH: Sir, when one speculates on land isn't he subject to influences just as one who speculates in oil and gas shares? For instance, if the Government is not going to permit the export of gas, the price of your stock goes down.

COMMISSIONER BLACKSTOCK: In the case I quote, I am not speculating. The man who speculates is a man who takes a piece of land and cuts it up into 25-foot lots, and peddles it from here to Montreal.

MR. SMITH: Well, sir, what is the difference between a man who buys a piece of land on a long term expectation of the price going up --

COMMISSIONER BLACKSTOCK: He is not speculating, he is putting in a lot of money into a piece of property that is worth what he paid for it?

A Well, there is a further difference, Mr. Chairman, that the man who speculates in oil and gas, if he loses his money, doesn't lose it through any legislation which is passed, he loses it because the company refuses to make

money.

MR. SMITH: He might lose it simply because the Government refuses to allow the export of gas.

COMMISSIONER BLACKSTOCK: The man who speculates in oil and gas is a fool, he is a gambler. He is not a speculator, he is a gambler, and even the Securities Act doesn't protect him against his own follies. All right, Mr. Smith.

MR. SMITH: There is another point I think that comes in too, sir, and that is that the Public Health Act, for instance, may prevent a man from building a home on a piece of land unless there is sewer and water facilities, and it has no relationship whatever to the Town Planning Act, and you are preventing him from using or selling his land, and he is assessed accordingly.

COMMISSIONER BLACKSTOCK: Health is something that affects the whole Province of Alberta.

MR. SMITH: Well, if you will excuse me, sir, I haven't had your legal training, but aren't we getting into the whole basis of our legal set-up, the protection of one individual from another individual, and is that not possibly the basis of the justification for the Town Planning Act?

COMMISSIONER BLACKSTOCK: And when a road is built and property is taken, compensation is paid.

MR. SMITH: Yes, sir.

COMMISSIONER BLACKSTOCK: And that road is for the benefit of everyone.

MR. SMITH: When the titles of ownerships change.

COMMISSIONER BLACKSTOCK: Yes. That's for the common good.

MR. SMITH: Yes, sir.

COMMISSIONER BLACKSTOCK: And you are depriving me of the use of my land for which I wished to use it, assuming always that it is a proper use, and now why shouldn't I get compensation? I am being deprived of something.

MR. SMITH: Really, Mr. Martin is in the chair, I shouldn't really be here. But for the sake of agricultural, take your agricultural land that may be sold is it not for the common good to a large number of people in a residential area that they not be allowed to put an obnoxious factory there? And if you apply that in residential areas, then conceivably can we not carry it through to the agricultural area?

Q COMMISSIONER BLACKSTOCK: Well, then, instead of my hypothetical case, supposing I am a farmer trying to grow wheat four or five miles out of Calgary, and then certainly my farm is in the City of Calgary, and I have a chance to sell it, well, you can't say I am a speculator now. I am trying to sell it, and the very fact of the zone will prevent anyone from buying my farm, that's correct, isn't it?

A Unless he wants to farm it himself.

Q Well, should I be condemned to go on farming it when I want to sell it and retire?

A The comparison which Mr. Smith mentioned was one which I was going to develop further. If it is not an agricultural district, say it is a residential district, say I have a complete block which I have not built up in a residential district, and I get a man who has $250,000.00, or say who wants to build a factory on it. Residentially the land is worth $50,000.00 but I could get $250,000.00 on it if the man could build his factory. What would be your conclusion in a case of that kind?

Q Well, Mr. Martin, I am asking questions, not answering them.

A Well, what I am trying to point out, Mr. Chairman, is that it is not an easy question to answer, and I don't think it is at this stage subject in any way to a "yes" or "no". I think the principle is correct, I undoubtedly concede that the principle is correct, but I think it is also useful to point out the sort of difficulties one can run into, the sort of practical difficulties one can run into having first conceeded the principle. But, incidentally coming back to the purchase by the Municipalities of the green belt, I think it would be an excellent way of preventing some of our fringe problems which have plagued us in the past, it would be the most effective way to my thinking of doing it. And on top of that, I think it would be

cheaper than paying compensation. It would, of course, require the right of expropriation for that purpose.

COMMISSIONER DAVIES: There is some suggestion, Mr. Martin, that they are moving in that direction in the Toronto area, of the public authority acquiring land. The question arose in Edmonton, to which we didn't feel we had a very satisfactory conclusion. And that was this: Within the City, within the City itself, now I refer to the City of Calgary, do you feel that there are many people who own property within the City of Calgary, as we understand it now, who suffer loss as the result of the institution of zoning bylaws, or do you think that more property gained value within the boundaries as a result of these zoning bylaws, in the different areas such as single family dwellings, two-family dwellings, and commercial and industrial and so on? Would you make an observation on that, sir?

A Well, there are certain gains and there are certainly losses. I think I could go to the files and cite some concrete examples where a man could have sold his property along the highway in the City for a service station, and the area is not presently, I mean it is an agricultural zone because at the present time there are no utilities out there to provide the land with utilities, but there is no question about the fact that certain parcels in the City could have been sold at values which are many times their agricultural value, which run as high as $125.00 per acre, and even higher, and permits have been refused.

On the other hand, there is property which until last year was farmed and which has been sold for $2,000.00 an acre this year, but until last year was agricultural land.

COMMISSIONER DAVIES: A well known real estate man in Edmonton told this Commission a couple of weeks ago that he didn't know of any instances in Edmonton where people had lost money as the result of zoning bylaws in the City. I take it you would violently disagree with that statement, wouldn't you?

A Well, I think we have sufficient evidence with applications which have been lodged with us, and which have definitely been refused, to prove that the man owning the property would have sold it at a very good profit.

COMMISSIONER DAVIES: If he could have got it rezoned?

A Oh, it would have had its value if it had been rezoned. It was through the zoning bylaw that he could not realize on it. Our practice in Calgary is not to zone from agricultural to a higher use, if that is the gradation that you want to adopt, until we are satisfied that sufficient utilities have been extended out there to permit rezoning. We think that in the meantime it is better from all points of view to keep the land zoned agriculturally. It is better from the individual's point of view in this sense, that his assessment will remain on an agricultural basis until it actually develops.

THE CHAIRMAN: Mr. Hayes, were you going to ask any questions?

MR. HAYES EXAMINES THE WITNESS:

Q I was wondering if you had the consent of the Municipal Districts surrounding Calgary to the annexation of this territory?

A You mean did the City of Calgary have that consent? No, sir.

Q Do they know about it?

A The Municipal District of Springbank has gone on record as not opposing the annexation of that area to the south. Oh, they know about it, yes, they know about it.

Q What about the other area which is not to the south?

A Well, I can only say in that connection, Mr. Chairman, that the plan was reviewed at the regular meeting of the Calgary District Planning Commission, and I think a recommendation was completed at that meeting, and in that way the representative members of the Municipal Districts concerned were informed of the annexation , that is, the Municipal Districts and the Local Improvement Districts, because the Calgary District Planning Commission didn't necessarily recommend amalgamation of the two towns.

Q Now, up in the Edmonton area for miles out in the country they have feed lots and buying stations. You have none of those to contend with here. What would be your attitude if you had an application for somebody to

establish a buying station, say, out in the fringe area?

A I think we would consider the application on its merits and by its merits I would say that its distance from the nearest residential district, and the nearest houses, would be taken into consideration. Its distance from the highway, those would be possibly the controlling elements, but certainly the zoning of the property itself would be taken into consideration. If the property, if the piece of land had to be zoned residential, then certainly the application would not be granted.

Q Would there be a time factor? For instance, would you consider giving a permit, we will say, for five years, or something of that kind?

A Well, sir, we would certainly consider a time factor, but not five years. I think five years is a permanent installation, but a six-months' period I think would be quite feasible to consider. And in the City's new interim development bylaw we had, in fact, not with feed lots, because that sort of keeping of animals is not permitted in the city, but we have permitted conditional use for a six months' period, and periods of a year.

Q Now, you mentioned that your thinking had materially changed from the time we were here before in respect to the territory south. What caused that big change?

A Well, the chief cause of that, Mr. Chairman, and that will be filed with some other information which I will

leave with the Commission, is further study in the extension of sewer utilities, that is one of the reasons. The other main reason was the land use available in the respective areas. Under the old consideration we had to take, we had thought of expanding the City basically to the west. Well, there are two difficulties with that when compared with expanding basically to the south, and the first is the extension of the sewer utility, it requires a main several miles long, a sewer trunk several miles long to provide sanitary drainage for the area, and even having achieved that sanitary drainage, the only kind of land which would be made available for future expansion would be residential property, because the land is fairly rough and there are no rail lines out in that direction at all.

Now, going to the south, the situation is completely different. The capital expenditure is also required, but this time in the form of an additional disposal plant which would probably be running in tandem with our existing disposal plant, but you are making available land for industry, land for business and land for residential purposes as well as, instead of making land available only for residential purposes, and in that connection we are still waiting, and I believe we mentioned it the last time, for a further report from the City Engineer's Department with respect to the extension of the main utility system.

Q It wouldn't be possible that if this Commission sat for another six months you would still revamp your thinking?

A No, sir.

Q It would not?

A No, sir.

Q Then you mentioned that in these fringe areas now annexed to the City there might be some building restrictions. Would that indicate that those people who found it necessary to go there would find it necessary to go further out, then, on account of restrictions? What would they do? Where would they go?

A That would be a problem which would be, would have to be solved in the entire solution to the Metropolitan problems, Mr. Chairman. I think, as we have stated in the brief, that some sort of provision for housing people who can't afford to live in the more expensive places of accommodation some provision would have to be made for housing them.

Q Who would make that provision? Have you any suggestion along that line?

A Well, I think it would have to be a combination of Provincial, of Municipal, Provincial and Federal Governments, becuase most of the house lending is now done through the facilities of the National Housing Act. I think some alleviation to the problem could be achieved through liberalization of the National Housing Act provisions.

Q Now, from your observations, would it seem to indicate

that those who live on the fringe areas indulge larger families?

A Well, it happens to be the case in the Calgary area, Mr. Chairman, that they have larger families, the per family size grow larger in the suburban areas than within the City.

Q Would that be a reason for them moving out?

A I think that is one of the reasons, Mr. Chairman. As I suggested earlier, one would have to get a pretty accurate cross-section before going into the business of subsidized housing because certainly by no means all of these people are living there because they can't afford, at least, when compared with people who are actually living in the City who can't afford to live in the City.

Q Yes, but I feel that predominantly the people that live in the fringe areas are those of the low income brackets, and it is of necessity that they are living there. Is that right?

A Well, I would say a large part of them do, I wouldn't like to go as far as saying the majority do, because we haven't sufficient statistics to say whether they are or not.

Q You wouldn't say the majority of them?

A Well, I would like to remain open on that question, Mr. Chairman. It is quite probably that the majority might; A large number would, I would concede that.

Q In other words, if we would raise the income of those people we might solve their problem to a great extent?

Or alternatively, we could make their housing cheaper.

Q Well, the same thing.

COMMISSIONER DAVIES: Did you know, Mr. Martin, that the results of a survey conducted in the Montgomery area by the Montgomery Committee shows that 750 replies received out of, I think, 900 and some questionnaries sent out showed the average income of the 750 as $3200.00 and something per annum, did you know that?

A I knew the survey was being conducted, Mr. Chairman, but the survey has only very recently been completed and published and I haven't had access to it.

Q COMMISSIONER DAVIES: If you did, I want to know is it your idea, is it within the ambit of your idea of a low income family if the family has an income of $3200.00, or do you envisage some family in the lower income tax group when you say "low income"?

A Well, in my opinion, Mr. Chairman, it would still be in the low income group, but I think --

COMMISSIONER DAVIES: Sorry, go ahead.

A I think, though, that with respect to the $3200.00 per year income group, Mr. Chairman, I think almost the entire reliefs to the housing problem could be accomplished through liberalization of the National Housing Act, say, with a 40-year loan and a low rate of interest, and a low down payment, because I think something like that could be achieved and possibly bring the payment figure down to a

figure which he could pretty well pay every month.

COMMISSIONER DAVIES: Is there not a lot of people within the City limits with incomes of $3200.00, or less, who are arranging to own their own homes and who arranged about building their own homes?

A Oh, I think that is true, Mr. Chairman. I would hesitate to say, though, what proportion are doing it.

COMMISSIONER DAVIES: I am sorry I interrupted you, Mr. Hayes.

COMMISSIONER HAYES: That's all right. I am interested in this Division 1. When we were here before they were apprehensive about getting as good a deal from the proposed enlargement of the area as to what they got in the old district of Springbank. You are now prepared to draft annexation of this district, but as was explained here, they want a proviso that they will more or less be an entity in themselves, and that their taxes will in the main remain at home. Do you feel there is any possibility of giving them a guarantee along that line?

A Well, the way I understand it, Mr. Chairman, is that first of all, Division 1 wants separate government, and their second choice is amalgamation with the City. They don't want to be incorporated with the large municipal division. established by the Co-Terminus Boundaries Commission. Now, under amalgamation, the City takes the view that they want annexation above separate government for Division 1.

In that way the City's view is opposed to the view of Division 1 in that respect, but if there is amalgamation of Division 1 with the City, then in accordance with the principles stated in our brief they should not have to pay any more taxes than they are paying at the present time, and they should continue to receive at least those services which they are receiving from the present Municipal District, the Municipal District of Springbank.

Q I remember asking the gentleman, Mr. Joyce, here who appeared before if there was somehow for the new enlarged area to give him a guarantee, at least, give Division 1 a guarantee that they would receive as equitable treatment under the new area as they had through the old Municipality of Springbank, would they go ahead with their application for an entity in themselves. And after a moment's hesitation he said, "Who would give the guarantee?" Now, that's our position now, if they want this, who is going to give that guarantee? Is the City prepared to give them that guarantee?

A Well --

Q Or are you in a position to give it?

A The City isn't in a position to give them any guarantee, but I think they should state their case. As it happens, the application is going to the Board of Public Utility Commissioners, and Division 1 will have to state their case to the Board of Public Utility Commissioners, and the Board

of Public Utility Commissioners can issue an order which will insure some of these things they are asking, at least, I think they could, because I think it would be wrong if these people were annexed and then had to pay higher taxes, unless, of course, the use of their land was changed and they were allowed, either in whole or in part, to capitalize on the change which had resulted from development nearby or for some other reason.

Q What I am trying to get through my way of thinking here is, in Edmonton we have a couple of cases of surrounding towns wanting to get in, wanting to be annexed to the City of Edmonton, and they have this little rider, the same as Calgary, providing it does not raise our taxes. Now, here we have an area outside who is willing to be annexed providing you leave their taxes pretty well at home.

COMMISSIONER DAVIES: Calgary is saying the same thing.

COMMISSIONER HAYES: Calgary is saying the same thing insofar as providing it doesn't raise, but here it is an outside area coming in who is asking the concession. Now, if nobody is going to have a raise in taxes, everybody is going to be pretty well satisfied.

A Well, embodied in the principles of the Calgary brief, though, are graded service areas, and that is inherent in our whole submission. We appreciate that we are asking a large area to be annexed to the City, but we appreciate

that the people who live in some of those areas are people who have to be considered, they are perhaps the first people to be considered as being benefited or damaged through annexation, and it is our contention that graded service areas could be established with corresponding assessment for different service areas, certain zones, shall we say, in such a way that nobody would be materially harmed thereby.

COMMISSIONER BLACKSTOCK: But that will require a very difficult amendment to the Assessment Act?

A It will require an amendment to the Assessment Act.

COMMISSIONER BLACKSTOCK: Mr. Martin, supposing we reported to the Government we recommend that Calgary and these other places be amalgamated, we also recommend that taxes are not to go up in any of these areas. Don't you think we might as well not have held the Enquiry at all? Isn't it a case of whatever is done conditions and circumstances will dictate whether taxes go up or down?

A But we are not making the submission, Mr. Chairman, in such a bald manner. The taxes will certainly have to go up, even in Division 1, but land which is presently farmed, land which is presently farmed need not necessarily pay greater taxation than it is paying now, unless it is broken down into smaller parcels for a different use, which will undoubtedly happen within a short time.

Q COMMISSIONER HAYES: What about the plant, the industrial plant that is there? Would the taxes on that remain in Division 1?

A If Division 1 remains separate, do you mean, sir?

Q No, if they are annexed to the City.

A Oh, should they remain the same as they are in Division 1?

Q Well, should they be credited to that area, as I say, to Division 1?

A Well, they couldn't be, Mr. Chairman, under the present City Act. The taxes are paid into the general coffers, they are not applied as local benefit taxes, or except local benefit taxes are not applied to any particular district. General taxation is a general taxation.

Q Then can we say that unless there is some change in the City charter, or something, that it would be impossible to grant to Division 1 a guarantee that their taxes in the main would remain in Division 1?

A Oh, that would be quite impossible, sir.

MR. BREDIN: I think that applies, too, to their condition about services, asking that they would continue to get the same services. I think that is in the same position.

Q COMMISSIONER HAYES: You mentioned, Mr. Martin, about that the City within its boundaries should have control over planning. Would the same apply to the surrounding municipalities?

A As envisaged in our brief, yes, sir. We are proposing a City Planning Department which, if amalagamation were adopted, would be applicable to the new enlarged City

boundaries, and stop at the City boundaries, and the Planning Administration of the surrounding region, which would now comprise the two large Municipalities, Foothills and Conrich, or will after the end of the year, would be done by the Calgary District Planning Commission, or the reorganized District Planning Commission, which would have jurisdiction over the planning in the Municipal Districts as well as over the towns within the Districts, such towns as High River, Okotoks, Crossfield, and so forth.

Q Thank you.

COMMISSIONER DAVIES: Mr. Martin, is the secretary-treasurer the secretary of the Calgary District Planning Commission, has he got a separate office somewhere in the City of Calgary apart from the Civic block, or is your entire District Planning Commission including the planners and otherwise all in the Civic block?

A The technical staff, sir, are in the City Hall. The secretary-treasurer is also the secretary of the Calgary District Planning Commission and is also the secretary-treasurer of the Municipal District of Springbank, and he has his offices in a Municipal District office.

Q And where do you meet, in the City Hall?

A We meet in the City Hall in the Board Room, which happens to be my office.

THE CHAIRMAN: Yes, Mr. Hayes, thank you. Now, I think Dr. Mayo has intimated that he wants to ask some questions.

DR. MAYO: Yes, sir.

THE CHAIRMAN: All right.

DR. MAYO EXAMINES THE WITNESS:

Q This covers a number of topics, Mr. Chairman, and I am not sure whether some of them are addressed to Mr. Martin in his capacity as representing the District Planning Commission, or as representing the City. You can perhaps indicate where one leaves off, if there is any awkwardness about the questions.

First, one or two questions about the form of government that might conceivably be recommended for an enlarged area. Calgary now has proportional representation for Municipal elections, is that right?

A Yes, sir.

Q That is for the City at large?

A For the City council.

Q It is treated as one large area?

A Yes.

Q And not a ward system?

A That is correct.

Q And I take it that this would apply to the enlarged city as well?

A Yes, we were not contemplating in our submission that we should have a ward system, or any change from the existing system.

Q And also that there is no, nothing in the proposal to guarantee, say, to the adjoining towns, if they come in, any representation from that area?

A No, not specifically from that area.

Q From Bowness, for example?

A From Bowness or Forest Lawn.

Q Well, so much for that. Now, I come to this question of compensation. You gave assent to the principle of compensation in certain cases, providing they were accompanied also by the principle of betterment payments into a kind of revolving fund. Now, do you know anything about experience elsewhere with such a scheme?

A Well, three years ago I had occasion, four years ago, Mr. Chairman, I had occasion to read the Town and Country Planning Act of Great Britain, large portions of which I have now forgotten, but that is when I was introduced to the principle of compensation and betterment. I have since read several articles in British Town Planning journals on compensation and betterment.

Q Yes. My point there is that although the principle seems very fair itself, wouldn't it be true to say that the British experience with it administratively has been rather unhappy?

A I would say it has been most unfortunate because I think there has been a great opportunity for people to die in the meantime while their claims are being adjudicated.

Q Too many people claim compensation and not enough pay betterment?

A I am not suggesting that they die because they don't get paid, I am suggesting they die because the time was so long.

Q Well, in other words, then, from what you know about it, it is true this is a pretty difficult kind of principle to work out in practice?

A That is correct, Mr. Chairman. That is the point I was trying to make here earlier, and perhaps I didn't make it very clear. This is a principle that appears to be sound, but working it out in practical details is rather difficult from the administrative point of view.

Q Now, at the moment, the law does not recognize any claim for compensation resulting from a zoning bylaw. This, I take it, is pretty well publicly accepted in the Calgary area and it works out satisfactorily?

A Well, I think it works out satisfactorily, but as I explained earlier, there are a number of individuals who have their land not being zoned to a purpose for which they could have sold it lost money, if you want to deem that money lost.

Q But still, by and large, it has a good deal of public acceptance, I suppose?

A Oh, I think it has a good deal of public acceptance.

Q And it works reasonably well. Well, now, if the green belt is inside the City limits, which in one sense it

would be with the enlarged area proposed by the City?

A Yes.

Q Then it becomes under the City zoning bylaws, so there would not, in fact, be any legal payment for compensation?

A No, sir.

Q Well, if the green belt, on the other hand, is outside the City boundaries, and the District Planning Commission decided upon such a green belt outside, would that green belt be zoned then as green belt by the surrounding rural municipalities, is that how the green belt would be enforced?

A That is what we envisaged in our submission, that the enforcement of the green belt, or of the agricultural zone, whatever you want to call it, would be administered by the Regional Planning Board.

Q I am speaking about a green belt outside of the City.

A Yes, that is correct, that would be administered by the Regional Planning Board.

Q They would pass the zoning bylaw?

A They would pass the zoning bylaw.

Q Well, in that case, if you look at compensation this way, is there any difference in principle whether the zoning bylaw puts the land in agricultural use inside or outside the City limits?

A Oh, no, not in accordance with the Act.

Q So that if one accepts the principle of no compensation zoning bylaws inside the boundaries, it is rather difficult

on this argument to adopt the principle of compensation once you cross that boundary?

A That's right, it would be equally applicable on both sides.

Q So much for compensation.

A I wonder if I could make a statement here, Mr. Chairman, in connection with green belts. We are envisaging two kinds of green belts, one green belt which is almost entirely a park zone because of its topographical features, and one which would be a green belt, an agricultural zone, but which would not preclude, say, on a sparser scale, the establishment of industry therein.

Q My question a moment ago concerned the green belt for agricultural and a few similar uses.

A Right.

Q The question of green belt was the next question I had to ask. You mentioned a while ago the idea of buying the green belt land in order to prevent a fringe area problem arising. Now, by that, do you mean a green belt parkland, or a green belt agricultural land, or what kind of green belt?

A Well, I don't think I advocated, Mr. Chairman, buying it. I just said it would be preferable to paying compensation if the compensation were to be adjudicated on the basis of the difference in the value of the land between agricultural and commercial or industrial.

Q I see. I thought you were giving the impression that this had been discussed in the Planning Commission.

A Oh, it has been discussed from that point of view.

Q But it has not been advocated?

A It has not been advocated, no.

THE CHAIRMAN: Dr. Mayo, I respectfully direct your attention to the clock.

DR. MAYO: Well, I think I better stop at this point because that's the end of that topic. I had a number, two or three other topics.

THE CHAIRMAN: Yes. All right, the Commission will adjourn then for 10 minutes.

(Adjourment)

THE CHAIRMAN: Now, then, Dr. Mayo, you are ready, and Mr. Martin, too?

Q DR. MAYO: Mr. Martin, I am sorry to come back to this question of the Planning Commission machinery, but I do so in order to be quite clear as to what your recommendations are. Is it fair to say that you are advocating compulsory membership by Municipalities in the Planning Commission?

A In the Regional Planning Commission, in the District Planning Commission.

Q I am talking about the District or Regional bodies.

A Yes, sir, that is correct.

Q And that, therefore, by implication that the legislation regarding that should be amended?

A Yes, sir.

Q You say that the Commission has certain advisory and certain executive powers. Is it your recommendation that the executive powers of the Commission should be strengthened? At one point in your brief, for example, you give that impression, and you raise the problem that the Commission is not able to compel any spending. I think that is on page 19.

A Oh, I implied that indirectly, Mr. Chairman. I am not advocating that the Planning Commission has the power to spend money except for administrative purposes.

Q I see. Well, is it your recommendation, however, that the executive side of the Commission in other respects should be strengthened?

A Oh, yes, yes, sir.

COMMISSIONER BLACKSTOCK: Page 3, Dr. Mayo, page 3 on the third last line,

"requiring an authority with much wider powers ---"

Q DR. MAYO: "requiring an authority with much wider powers"?

A Yes, sir, on page 3. And on page 19 there is a reference to:

"member unit may have assented to a general plan, but through such assent it would not be obligated and may not have the resources to expend any money to help carry out any proposal of it."

Now, it goes on:

"The weakness of such a planning procedure lies not only in that it is cumbersome in its dependence on six different member units to carry out the Commission's recommendations."

Well, some of the recommendations of the Commission may well require a member unit to spend money?

A Yes, sir.

Q Although you say, you are not suggesting that the Commission should have the authority to spend money, are you suggesting that it compel a Municipality to spend money in carrying out a part of a general plan for the area?

A Well, that would certainly be implied in that statement, Mr. Chairman. I think it would be essential, although I wonder if I could elaborate just a little bit here. The expenditure of money which might be involved would not be the expenditure of money which might be required for some planning purpose which is a concern to only one Municipality with partnership in the Commission, the expenditure of money would be involved where two or more Municipalities would be involved, say, through a connecting bridge, or through a connecting major street, or something of that nature.

Q Yes. Well, take the example of a plan agreed upon for a road traversing the area, that is agreed upon by the members of the Commission. Well, then, the individual members would be obligated to contributing building that road, I take it?

A Well, perhaps we could elaborate on the planning function

as permitted in the Town and Rural Planning Act at the present time in connection with the point which Dr. Mayo has just raised. And the very fact, and perhaps I should have elaborated a little more in the brief, but it was done through lack of time rather than for any other reason, the very fact that a major thoroughfare, shall we say, let's just stay with a major thoroughfare which forms a part of the highways or major thoroughfare system of the Metropolitan Area in which a number of different Municipalities are affected. And we have prepared for the Metropolitan Area a complete major thoroughfare plan for its future development, and we have drawn that plan on paper, and it has been submitted to the Calgary District Planning Commission and approved in principle. The very fact that a major thoroughfare is indicated on that plan doesn't involve, say, the City of Calgary and the Municipal District of Springbank, let's take two arbitrary members, in paying for the building of that thoroughfare, but it does mean that at some time in the future, two years, five years, or a number of years, that that thoroughfare may have to be built. Well, when the thoroughfare plan is built, or when a thoroughfare is built and cooperation between the City and the Municipal District of Springbank is required, then the City, then the Commission could prepare a development scheme for both the City and the Municipal District to adhere to, and it would be the development scheme which would require the

expenditure of money, a development scheme made pursuant to the general plan. It may sound like a rather complicated procedure, but the machinery is in the Act for that sort of procedure, and it would be there that either Municipality could refuse to pay its share, even though the thing was basically of advantage to both Municip alities at that particular time, or that one might, Springbank may want to pay its share and Calgary may not want to pay its share, or for that matter, how much will each share in it. There is no machinery for that, either.

Q Now, I think this point is important for this reason, at the moment the position is that if the Municipality does not like a part of the general plan it can retire from the whole Planning Commission?

A Yes, sir.

Q It can ignore the general plan and go its own way?

A That's right.

Q And therefore, as you have said before, it can, in a sense, disrupt the general plan?

A Yes.

Q Now, isn't it possible for the Commission to have agreed upon a general plan for this large, a large area, and some town sitting in the area by refusing to spend the money required, it could, in a sense, disrupt the plan in the same way?

A Yes.

Q So almost by implication, you could get the situation where the adoption of a general plan by all the members amounts to compelling a Municipality to spend money on development, unless the plan is going to be disrupted?

A No, Mr. Chairman, I don't think so, I don't think I agree with that. The Council of the Town of Okotoks, or the Village of Okotoks, might go along, say, with a plan, I am just using arbitrary names and situations, might go along with a general plan, say, in 1954, and say, "Well, this is a very fine scheme," and sign the plan, and the plan would be duly adopted by the Minister, and then five years later it might come to the expenditure of money to implement one of the proposals which affect Okotoks, and some adjacent Municipalities, and the Council of Okotoks would not vote the money for it, and would have every right to refuse voting the money for it even though five years ago they had assented to the plan.

Q COMMISSIONER DAVIES: May I interrupt just a moment, Dr. Mayo. I would like to read relevant to this Section 76 (1):

> "The development scheme does not come into force until it has been adopted by bylaw and approved by the Minister in accordance with the provisions of Section 84."

And if you refer to Section 74 of the Act dealing with development schemes, you will see that that section of the

Act on development schemes doesn't anticipate that development schemes originating particularly in the Commission, because Section 74, subsection (1) reads:

"At any time after the adoption of a general plan, or while interim development control is being exercised, the Council -- "

it isn't the Commission,

"the Council, for the purpose of

(a) insuring that any proposal contained in the general plan will be carried out or will be carried out in a particular way, or

(b) amplifying as to its details any such proposal, may prepare and adopt a development scheme. "

I would suggest to you, Dr. Mayo, it looks as if under the Act that the Council wouldn't get into that dilemma for the simple reason that it would have to approve of the scheme and pass a by-law, and the scheme still wouldn't come into effect under Section 76 until the Minister had approved it.

DR. MAYO: Well, what I am suggesting, sir, is I am not quite sure whether there is a difference here between the adoption of a development scheme and the adoption of a general plan. Now my point is --

A There is a great difference; the adoption of a general plan is the adoption of a principle of planning for the

entire area, and the adoption of a Development Scheme actually goes into the physical works required to carry a particular part of the general plan into being. That's the difference, and that Development Scheme is the thing that costs the money. It is easy to sign a general plan, but it is much harder to sign a Development Scheme.

Q Well, it seems to me that you can hardly adopt a plan without taking on the obligation to carry it out.

A That is quite true, Mr. Chairman, but --

Q Especially if it is a plan that has a time limit on it, some plans might, you say.

A Well, the way planning is envisaged in the Act, Mr. Chairman, is this way; a general plan is drawn first and then if you have time limits on certain phases of the general plan you do those through development schemes within the meaning of the Act, and within the general plan, and the adoption of the general plan initially, I still maintain, does not obligate any Municipality to spend any money.

COMMISSIONER DAVIES: That's the way I read the Act. I was wondering if Dr. Mayo doesn't mind my interrupting. We are all trying to contribute to what the whole thing is. If at some stage in connection with the Development Scheme, Dr. Mayo, let's take in connection with the construction of a bridge, or some very heavy expenditure since that scheme has to have a by-law passed by the Council, the Council, not the Commission, and has to be

approved by the Minister, it is possible before Council reached the stage that it would be passing a by-law involving a major expenditure that they wouldn't also reach the mental state where the Council would be saying, "This is something we can't undertake unless we have some special assistance from the Provincial Government.", and an approach would be made to the Minister to see if the nature of that project wasn't such that further Provincial assistance would be forthcoming. Do you think, Mr. Martin, that perhaps the Act anticipates circumstances such as that?

A I think the Act anticipates circumstances such as that, Mr. Chairman. There could also be the further complication if a Development Scheme required capital expenditure it may have to be submitted to the ratepayers, and the ratepayers may turn it down if the Council approves it.

MR. BLACKSTOCK: That was the comment I was going to make. That would be a money by-law?

A That is correct.

MR. BLACKSTOCK: And would require to be passed by two-thirds of the majority of the ratepayers voting on it.

Q DR. MAYO: Well, let's take another example. I am not quite sure that the adoption of a plan doesn't obligate the Council to spend money, that is merely the point I am getting at. Supposing a certain area is earmarked for a park, and this is agreed by the Planning Commission,

and supposing it is also agreed by the Planning Commission that the expense of purchasing this land shall be borne in a certain proportion by the different members, well, this may have been passed, this plan, over the protests of one or two members of the Commission. Well now, what happens if most of them put up the money but say one of them doesn't, is it obligated?

A Well, Mr. Chairman, on my interpretation of the Act, the powers of the Calgary District Planning Commission, or any Planning Commission envisaged in the Act, would not extend to the setting of shares to be borne by participating members in the expenses to approach any part of a plan.

Q That is true, but that is not quite what I am getting at, Mr. Martin. You see you are expressing a desire in this Brief for in a sense wider executive powers in the Planning Commission. Now therefore one can't fall back on the Act and say, "This is what is provided.", because if wider executive powers are to be given then presumably the Act must be amended?

A Well I am sorry then, Mr. Chairman, perhaps Dr. Mayo is working on the assumption that the Act is amended, and that the powers of the Commission would extend so far.

Q What kind of powers do you wish the Commission to have, that is what I am getting at?

A I think, Mr. Chairman, that that question can only be

answered not through an organization of the Planning Commission itself, but through a complete re-organization of the interim Municipal relationships.

COMMISSIONER BLACKSTOCK: Dr. Mayo, you weren't here on Monday, but I asked Mr. Martin if he would be good enough to draw a statute containing the powers that he thinks the Commission should have. I still hope he will do that.

A I forget, Mr. Chairman, did I promise to do that?

THE CHAIRMAN: I watered it down a bit for you.

Q DR. MAYO: If that is going to be filed, Mr. Chairman, I won't pursue this subject any further. Now the question of appeals; at present there is an appeal within Calgary to the Planning Advisory Commission. I take it that that method works satisfactorily?

A I think it works satisfactorily, Mr. Chairman.

Q And you have no recommendations to make on that?

A No, sir, I think the system works satisfactorily. I think it holds up development possibly longer than development should be held up, but I don't think it holds it up longer than any other system that we might devise would hold it up. I think by and large justice is done by that procedure, and I think that is the main consideration.

Q Now in other cases that are not within the authority of the Calgary City Council, the appeals may go to the Provincial Planning Advisory Board?

A Mr. Chairman, the appeals in other cases go from the Interim Development Board of the Municipalities having Interim Development Boards, to the Council first, and subsequent to --

Q Oh yes, I am speaking of the final appeal.

A Pardon?

Q At the moment I am merely concerned with the final authority.

A Yes, sir.

Q Would you say that this final authority as presently constituted is satisfactory?

A Well, on the basis of our experience with decisions handed down by the Provincial Planning Advisory Board, I think it's entirely satisfactory, on the basis of the experience we have had with their decisions.

Q You have no recommendations to make on that point?

A No, sir, not at this time.

Q Would you agree that on the final appeal the Province should hold public hearings?

A I wouldn't like to go definitely on record on that, Mr. Chairman. I think there are certain features in the adoption of a general plan, or any departure by an individual, or a departure by a constituent Municipal unit within the District Planning Commission which should be subject to public hearings.

Q Public hearings in some cases, is that what you are asking?

A Depending on their importance and depending on the issues involved, and I think perhaps those issues could be designated in the legislation.

Q Well that again would mean, I suppose, some amendment to the Act?

A I think the whole Act under any system, I would like to approach the problem this way, Mr. Chairman, I would like to see first the job which I would like to do, or which we think ought to be done from the planning point of view, and then approach the thing on a functional basis. Here is the job we have to do, and then look at the Town and Rural Planning Act and see in what ways the Town and Rural Planning Act is deficient to perform that job the way we think it ought to be performed and then to amend, or redraft, or revise the Planning Act accordingly.

Q That, in a sense, is what we are getting at. Your Brief has given several instances, and I am trying to get the specific recommendations you have.

A Mr. Chairman, I hope I can be pardoned for this, but I haven't examined the Act in all the implications which our recommendations in the Brief might have on the Act itself, and I am afraid I am not in a very good position to deal with specific sections of the Act, at least insofar as the implications of our recommendations in our Brief are concerned on the Act.

Q Still this entire question of the final appeal body

doesn't in one sense demand a great knowledge of the Act, or of planning, as far as that goes, it's a question of whether you think, or whether the District Commission thinks that the final appeal body should hold, for example, public hearings. I mean to say it is possible to make a recommendation there one way or the other. Well let me ask another one then --

A I wonder, sir, are you suggesting public hearings by anyone who might be interested in anything regardless of his proximity to the proposal involved?

Q Well yes, public hearings.

A I would say public hearings, Mr. Chairman, if any proposal made by an individual affected a major proposal of the general plan, but if it affected, say, some minor development in any individual Municipality which does not compromise all members of the general plan then I would say no public hearing would be necessary, and the ordinary appeal procedure would be sufficient, but definitely if it involves a departure from the general plan with which presumably the people as a whole are implicated, and are affected, then I think a public hearing would be called for.

Q Well, I won't pursue that. One final question on that; should the final appeal board sit in the area where the dispute is, that is to say if it involves the Calgary area should it sit there, and if it involves the Edmonton

area should it sit there?

A Well, I think for the sake of administrative convenience, and for the sake of the people who want to attend the hearing, that would be a preferable solution to the problem.

Q You know the composition of the present Board?

A Is it the Minister of Municipal Affairs, the Deputy Minister of Municipal Affairs and Mr. Lash?

Q That is right.

A Those three.

Q That is right. That is set out by Order and in regulations.

A Yes.

Q Would you say it was preferable to have the final body some more judicial body, such as a Board of Public Utility Commissioners?

A Yes, I would say that would be preferable, Mr. Chairman.

Q Taken out of the Department of Municipal Affairs?

A Taken out of any Department which is concerned either with the Municipality or with the Provincial Government.

Q You have no opinions as between the Board of Public Utility Commissioners and some other new independent appeal body?

A I would like to make this observation in connection with that, Mr. Chairman, that I haven't made any, I haven't done any thinking on any alternative body, but I would

say that the Board of Public Utility Commissioners comprises men who are very conversant with Municipal affairs, and that any body which is established should have qualifications similar to the men who are appointed to the Board of Public Utility Commissioners, but as Commissioner Blackstock suggested the day before yesterday, I believe, the Board of Public Utility Commissioners is all pretty well loaded down with its present duties, so it may have to be another Board.

Q Well thank you, so much for that. Now I come along to the question of representation on Regional Planning Commissions. At the moment there is one representative from each Municipality in the area, and three nominated by the --

A Province.

Q -- Province?

A Yes.

Q Do you regard that as a fair Provincial representation?

A I would say it's fair, Mr. Chairman. I would say it's very fair, and I would say further that as far as the Calgary experience is concerned we certainly haven't any reason to feel that it has been anything but fair.

Q The funds of the District Planning Commission come half from the Province, is that right?

A Half from the Province, Mr. Chairman, 25% from the City, and 25% apportioned amongst the participating, other

participating Municipalities.

Q So the Province has an interest in the Commission directly through this, through contributing half the funds. You wouldn't suggest, however, that the Province should have half the members on that account?

A No, Mr. Chairman, although it is admitted that the Province has an interest the Province couldn't possibly have a personal interest which participating Municipal units have. The Province, for instance, is not personally -- personally is not the word -- personally concerned with development which may go on within the area over which the Commission has jurisdiction.

Q Well, in addition to the interest because it puts half the money up, the Province also, of course, is responsible for all the Municipalities within the Province, so it has a direct interest there.

A It has a direct interest in another way, Mr. Chairman, perhaps from the point of view of ensuring that the Provincial provisions as contained in the Town and Rural Planning Act are in fact being enforced, or are in fact being taken advantage of. I would say that would be another interest, the general administration of the Town and Rural Planning Act.

Q And it has an interest through its administration of highways that affect the area.

COMMISSIONER DAVIES: Dr. Mayo, could I interrupt you

a minute. The City of Edmonton's Brief on planning I think suggests that the Edmonton District Planning Commission should be varied by dropping out any representation from the Provincial Government of which there are three members at present. Is that right?

DR. MAYO: That is correct, sir, yes.

COMMISSIONER DAVIES: Would you mind asking Mr. Martin on that point?

Q DR. MAYO: In spite of the fact that the Province has an indirect interest in the work of the Commission, do you think that it should have representation on the Commission at all, or it should have reduced representation?

A Well, I think from the point of view of efficiency in the operation of the Commission, and from the point of view of justice which might be done in any particular case by the Commission, I don't think that the affairs of the Commission are helped or hindered through the inclusion in it of Provincial representatives.

Q Well, let me put one final question on that; would you object merely to having a Provincial representative on the Commission holding a kind of watching brief?

A No, I wouldn't object to that, Mr. Chairman. What I am trying to suggest is that the inclusion of Provincial members in the membership of the Calgary District Planning Commission has neither hindered nor has it, as far

as I can make out, helped. I am not saying that the gentlemen representing the Province are not capable persons, I am not trying to suggest that at all, but I don't think their inclusion materially affects the picture one way or another. Is that satisfactory to you, Dr. Mayo?

Q Yes, I won't press that any further.

MR. BROWN: Mr. Chairman, could I interject just for a moment here. It probably will be of some help, and like Commissioner Davies I do want to help if I can. There is just this point, Dr. Mayo, that when the District Planning Commission was set up, as a matter of fact the Provincial Government asked the Secretary of the old original Planning Commission, Mr. Lawrence and myself, to act as a Committee and to recommend to them people in our area that would represent the Provincial Government, and we actually, through that method, appointed those members that now represent the Provincial Government on the District Planning Board.

A And if I might add one further point here; the direct connection between the work of the Calgary District Planning Commission and the Provincial Government comes, I believe, only from the Department of Highways, and insofar as the member of the Provincial Government might represent, or be a person who is on the staff of the Department of Highways, he might, through his technical background and technical knowledge, assist the Commission in making

decisions on matters which have to do with highway development or highways generally.

Q DR. MAYO: Well, would you go so far as to recommend that a representative of the Highways Department should always be one member?

A I believe on further reflection, Mr. Chairman, that it would be advantageous.

Q Now take the question of responsibility of the Commission. Now you say a weakness of the Commission is that it is responsible to six councils. I wasn't quite sure what you meant by that?

A Oh, well, what I meant by that, Mr. Chairman, the Calgary District Planning Commission, is charged amongst its other responsibilities with the preparation of a general plan, and it is responsible to six councils to see that that general plan is actually adopted, in other words it is dependent upon six councils to go for the plan, if that's an expression we might use, before its work can be said even to have borne fruit. In other words the refusal on the part of even one member, one participating Municipal unit, might throw out the work of the Commission for the whole year, because if one member refuses then it could throw out the whole general plan under certain circumstances.

Q Well, I take it a plan is drawn up by the Commission's staff and adopted by the Commission at a meeting. Is that not

right?

A But each individual council has to adopt the general plan.

Q Well now, that is a good point. If a Commission duly sitting constituted and adopted a plan, are you suggesting that through the executive authority which the Commission should have that that plan should therefore be binding on the member councils?

A That is precisely what we are advocating, Mr. Chairman, and if the member council doesn't like the plan then the member council should have the right of appeal against the provisions of the general plan to this other independent Board to which reference has been made.

Q And if it loses the appeal the general plan applies whether council has adopted it by resolution or not?

A Well, in that procedure, Mr. Chairman, the council wouldn't by resolution or otherwise adopt a general plan, they would just hold the general plan on an issue subject to the right of appeal.

Q But after they had lodged the appeal they must still carry out their portion of the plan?

A That is correct, that's the intention, Mr. Chairman.

Q Now sometimes you get an argument that if it is not a member of the council that is on your District Planning Commission you violate democratic principles?

A I don't hold with that, Mr. Chairman, I don't think, I think if it's a council appointee, I fail to see whether

it makes any difference whether it is a member of the council or a member which was appointed by the council because presumably any member appointed by the council would have the trust of the council.

Q He is more likely, is he not, to forestall any objections that the plan is not democratic if he is a council member, and he is also more likely to maintain a better kind of liaison with the council? You see the recommendations given to us vary on this point and I am trying to make sure I have yours clearly.

A Well, Mr. Chairman, I was just going to say he is also likely to do something else, but I am not going to say so. Well, my position is still, Mr. Chairman, that I think a Municipal unit will be just as well served through a council appointee as it would be through a direct council member attending the Calgary District Planning Commission meetings.

COMMISSIONER DAVIES: Would it be the basis of your position, Mr. Martin, in view of the fact that most of the recommendations of the Calgary District Planning Commission would be subject to the approval of the local council, and it wouldn't make much difference whether the member was a councillor or not, because what the District Planning Commission is doing on a whole has to go back and be approved by the individual councils anyway, since the District Planning Commission wouldn't have much

executive authority.

A That is quite true, although I wasn't thinking of it quite in that connection, Mr. Chairman. I think that is an excellent point, and I think the proposals of the Calgary District Planning Commission, insofar as they affect any individual council, could be brought to that individual council and explained to them just as effectively by an appointee as they could by a member of the council.

Q DR. MAYO: You see if the council objects to a plan and loses its appeal then the plan is thrust upon them so that there are certain things they cannot do with their land, for example, so that this point, they can't do anything until the council acts is not altogether true. If you give the Commission compulsory membership, and plans adopted by the majority voting. In other words if the earlier recommendation regarding more executive power in the Commission is adopted there are lots of things that council cannot do once the plan is adopted regardless of the council's wishes. That is true, isn't it?

A That is quite true, but we are speaking here, I hope, on the general plan proposals.

Q Yes?

A We are not speaking of what are entirely local affairs within a particular town, which would still be under their

jurisdiction.

Q They can't do anything to violate the general Plan?

A That is correct, yes.

THE CHAIRMAN: Dr. Mayo, are you likely to be, how much longer, can you guess how much time you are going to require? I want to have time at the end to make two or three general announcements.

DR. MAYO: Yes, sir. What time are we closing this afternoon?

THE CHAIRMAN: 4:15.

DR. MAYO: Well, I will stop by five to four.

THE CHAIRMAN: You will be through?

DR. MAYO: I think so, yes.

THE CHAIRMAN: Yes, all right, you may say five minutes after four, if you like.

Q DR. MAYO: We have had one proposal which the Commission has seen that the members of the District Planning Commission should be elected, and that this will be real democracy. What do you think of that?

A No, sir.

Q Don't you agree with that?

A I don't agree with it, no, sir.

Q On what grounds?

A Well, on the grounds simply that I think at least as much justice will be done, I think justice is the thing insofar as land use proposals are concerned, by a body which is

not political or elected, as is, in other words the likelihood is there would be at least as much justice done by an independent body as there will be by an elected body, and quite probably more.

Q The argument for election is an argument for democratic responsibilities, which is not quite the same thing as justice, I admit.

A Well, it all stands on, I think the democratic part of the procedure goes into the right of appeal, I think as long as there is a right of appeal you haven't taken the democratic element out of it altogether. I think one can compare it with legal procedure. I think it would be an unsatisfactory state of affairs if Judges and Prosecutors were elected rather than appointed.

Q Well, that is one comparison, but if you don't like the argument for democratic responsibilities, it has been put very strongly, if you don't like what an elected council does you can presumably turn them out of office; if you don't like a ruling handed down by a quasi judicial Board you can't very well turn them out of office. Now the argument doesn't rest on justice, it rests on can the electorate get its way.

A Well, I think it also rests on the case of whether or not the electorate is involved in the general plan, the electorate as a whole is involved in the general plan proposals.

MR. BROWN: Council has still to pass the by-law.

A No, it wouldn't in this case.

MR. MACKINTOSH: In the general scheme.

A It wouldn't in this case, no.

Q DR. MAYO: In your revised Commission there are lots of things the council will not be able to do whether it likes the plan or not, that is right, isn't it?

A That is quite true.

Q Well, I won't pursue that. I take it you are against the idea of electing a Commission. The next question concerns the staff. Do you think it is a good idea to separate completely the staff of the District Planning Commission from those of the city?

A Well, under the reorganization, if carried out, where you have a separate City Planning Department, and an area which is co-extensive for, or an area of administration which is co-extensive with the geographical area, then I think it is desirable to have separate staff for city planning work and a separate staff for regional planning work, because in many respects the function would be different. One group would be dealing almost entirely with rural problems, and possibly the decentralization of populations in satellite towns and otherwise, and the other groupewould be dealing almost entirely, or entirely with the affairs within the city which are almost entirely urban problems. The reason I recommend a separation of those functions is because there are

different functional requirements. Now the situation is a little confused because the Metropolitan Area comprises for administration purposes, or at least it isn't co-extensive with the problem.

Q You envisage a Planning Commission which gives planning services to the outlying Towns and Municipalities that belong to the Commission. Is there any possibility of a conflict there between services given by the Planning Commission and those given by the Director of Town and Country Planning?

A Well no there isn't, Mr. Chairman. There might be in a few cases, but it would be a question of determining -- well, I will approach it from another point of view; the Director of Town and Rural Planning now has applications from Towns who want technical advice who are three years behind, and the thing involves the appointment of a staff large enough which could look after the affairs of the little towns in the new region that would be established, so that rather than be in conflict I think the individual towns would have more chance of getting earlier attention than they would under present arrangements.

Q I wonder, however, whether there may not be some amendment to the Act required specifying that towns that are in a District Planning Commission should get their planning service from it rather than from the --

A I think a special clause would be required, Mr. Chairman,

to make that possible.

Q Now I come along to the recommendations which you make, Mr. Martin. I shall go over, I shall admit most of them, and I will go over to two or three points you raised towards the end. On page 30, I believe, you recommend a Regional Research Centre at the University. Now this naturally is of some interest to me as a University professor with an interest in local government. It is also of some interest to me as a junior member of the Senate of the University. Now let me ask you one or two questions about this. Were you thinking of at the University in Edmonton or at the Calgary Branch?

A Well, whichever Branch, I think it would be immaterial, I think it would be established, Mr. Chairman, to give a more local quality as far a Alberta problems are concerned, and I think it would be immaterial whether it were done at Edmonton, which I think would be more convenient because most of the technical staff is in Edmonton at the present time, and perhaps the more qualified staff, University staff, which should be made available to giving advice to a centre of this kind.

Q Well, has the thought of the Planning Commission gone very far on this?

A Well, we haven't gone to the point of making definite recommendations, but it has on a number of occasions been discussed that it should be looked at.

Q No approaches then have been made to the University?

A No, sir.

Q Well, it seems to me, if I might make a suggestion there, the proper approach might be to the Senate, that is the body which receives representation from the public, any representations affecting the work of the University.

A Well I wonder, Mr. Chairman, though whether the recommendation better doesn't come from this Royal Commission than it would come from the Calgary District Planning Commission, and that was our purpose in putting it into this Brief.

Q If it is to come from this Commission, of course, there ought to be more guidance in the recommendation. Are you recommending a Research Centre on metropolitan problems only, on problems of planning only, or are you suggesting local government in general, which would take in a much wider field.

A Well, it would be regional development, Mr. Chairman, and things like that are pretty hard to put down in detail from the beginning, because I think any new Branch which is opened in any University starts with certain minimum considerations, and on an empirical basis it goes on and adopts a wider and wider point of view in its particular field of research, and I think the thing would probably have to be started with a minimum of detail recommendations, and grow as it went along. I think we have been subject

to the same sort of thing in the planning function generally. Possibly that has been the weakness of the planning function, because it hasn't in the past envisaged the administrative machinery required to carry the plan out. In other words it has grown as it goes along, and a Research Centre of this kind would have to grow as it went along too.

Q Are you thinking entirely in terms of a Research Centre, or something also connected with the teaching perhaps?

A Well, I think the Research Centre, I think we could elaborate to this extent, it would almost certainly be of great interest to students in Geography, students in Economics, well, particularly those two and probably also students in Engineering.

Q And maybe Political Science?

A And Political Science. They would be going into the development of regional development in all those aspects, and from the point of view of politics and administration as well, of course.

Q Well, is it possible to provide us, Mr. Martin, with a rather more elaborate scheme than this short recommendation of a Regional Research Centre?

A Well, I think it's quite possible to do that, Mr. Chairman, but I am just looking at it from the point of view of time. Certainly we could expand on our ideas in connection with this particular recommendation, but, and possibly go

so far as to indicate the particular branches of regional development which should receive particular attention. Now I think we could go that far, but as far as a complete organization chart of what such a Research Centre ought to take in, I think that would be impossible at this time because, as suggested earlier, once started it would certainly grow.

Q Yes, but it needs as a rule a rather larger than a supporting paragraph like this to start the ball rolling. However, I will leave that now, and I will go along to page 32 where you suggest uniform assessment. I am not quite sure what is meant there. If the amalgamation proposals are recommended and adopted, presumably the City assessment would apply?

A Yes.

Q Within the enlarged city area, that would be a matter of city policy?

A That's right.

Q Now are you recommending a change in the assessment sections of the City Act, or a change in the Assessment Act that would apply to adjoining rural areas?

A I don't think it would require a change in the Assessment Act, Mr. Chairman. I believe I mentioned the two alternatives here. I say that with complete amalgamation the City's re-assessment, which is now nearing completion, would be extended to take in the new area, and that would be a

relatively simple matter, but whatever form of organization, I didn't go into it in greater detail, were adopted, the assessment practices would have to be uniform, they would have to use the same base year, they use 60% of development in Calgary as being the base on which the assessment is based, and that should apply in Bowness and Forest Lawn. That is all I was implying or meaning in that statement because --

Q You were not referring to uniform assessment outside of the city boundaries to make them uniform, say, with the assessment, say of agricultural land, within the enlarged city that you propose?

A I don't know just how well covered agricultural land is at the present time, but it is now, the assessment now is based on the assessment in the adjoining Municipality. I think that is a satisfactory system, I mean that is embodied in the present city assessment practice.

COMMISSIONER BLACKSTOCK: That only applies to parcels of land over eight acres within the city limits, doesn't it?

A That's right.

Q DR. MAYO: Are you saying that that is uniform with the assessment of parcels of land, the same size outside of the city boundaries?

A Well, it is a little less lenient in this respect, Mr. Chairman, that the parcel outside is 20 acres rather than eight acres in the city to get the same exemption.

Q Well, you are not making any recommendations regarding industrial assessment?

A No, sir, I don't make any recommendations regarding industrial assessment.

Q The reason I asked that is we heard a good deal in Edmonton about revision of industrial assessment for the purpose of industrializing the Province. Your Commission is not making any recommendations?

A No, not the Commission. The City of Calgary will have something to say on, I could make some observations on assessment, but I am not authorized to do so.

Q Well, we will postpone those questions for the City. I am sure we will hear a great deal more about industrial assessment. Well, Mr. Chairman, I will stop at this point although there is a large topic relating to housing which I have not explored yet, but it can be well taken up with the City representative in connection with the City Brief as well as Mr. Martin.

THE CHAIRMAN: Thank you, Doctor. Now, gentlemen, in view of the request made by Mr. Bredin this morning on behalf of the City that the examination of the City Commissioners should be held over until Friday morning, and in view of the fact that Mr. Martin has had what I would regard as two very exhausting days, the Commission is suggesting that tomorrow morning we begin with item number three on our, item number four on our programme,

the Town of Forest Lawn. I want to ask Mayor Maveety if he will be prepared tomorrow morning to go forward with the submissions of the Town of Forest Lawn?

MR. MAVEETY: Yes, Mr. Chairman, we will be prepared to go on tomorrow morning. Mr. Crisp will give the main Brief and I will read a supplement to it.

THE CHAIRMAN: Yes. Thank you very much, Mr. Maveety. Then tomorrow morning at 9:45 we shall open the discussion on these, well, the first presentation of the enlarged Brief and then Mayor Mackintosh, if this should take less time than the whole day, perhaps you would be willing, the next item is the Town of Bowness.

MR. MACKINTOSH: Yes, sir.

THE CHAIRMAN: And you understand I am giving no guarantee that we will get to the Town of Bowness tomorrow, as you may quite easily have inferred from the rate of progress which we have made thus far. So, Mr. Martin, I hope that you will have a rest tomorrow.

A Well I am quite happy with that arrangement, Mr. Chairman.

THE CHAIRMAN: I should think you would be. Then we are adjourned until 9:45 tomorrow and the programme will be as I have outlined.
